

**CITY OF FRESNO
DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT**

**CONDITIONS OF APPROVAL
AUGUST 30, 2018**

VESTING TENTATIVE TRACT MAP No. 6214/UGM

**LOCATED ON THE EAST SIDE OF NORTH FOWLER AVENUE BETWEEN EAST CLINTON
AVENUE AND THE EAST MCKINLEY AVENUE ALIGNMENT**

All tentative maps are subject to the applicable provisions of the State Subdivision Map Act, Fresno Municipal Code (FMC), City policies, and City of Fresno Standard Specifications. The following specific conditions are applicable to this vesting tentative map:

NOTICE TO PROJECT APPLICANT

In accordance with the provisions of Government Code §66020(d)(1), the imposition of fees, dedications, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations or exactions imposed on the development project. Each local agency shall provide to the project applicant a notice in writing at the time of the approval of the project or at the time of the imposition of the fees, dedications, reservations, or other exactions, a statement of the amount of the fees or a description of the dedications, reservations, or other exactions, and notification that the 90-day approval period in which the applicant may protest has begun (please see section related to Development Fees and Charges included herein below for further information).

Improvements and payments shall not be required on or in front of any undeveloped portion of a net acreage of ten acres or more which exists after the division of land. All improvements and payments shall be completed with development.

URBAN GROWTH MANAGEMENT REQUIREMENTS (GENERAL)

The subdivider of property located within the UGM boundaries shall comply with all sewer, water and street requirements and pay all applicable UGM fees imposed under the Urban Growth Management process (with appropriate credit given for the installation of required UGM improvements) in accordance with the requirements of State Law as related to tentative tract maps.

GENERAL CONDITIONS

1. Prior to final map approval, the owner of the subject property shall execute a "Right to Farm" covenant with the City of Fresno. Said covenant is to run with the land and shall acknowledge and agree that the subject property is in or near agricultural districts located in the City and/or County of Fresno and that the residents of the subject property should be prepared to accept the inconveniences and discomfort associated with normal farm activities. The "Right to Farm" covenant shall be recorded prior to or concurrent with the recording of any Final Map of Vesting Tentative Tract No. 6214/UGM.
2. The subdivider shall comply with San Joaquin Valley Air Pollution Control District Rule 9510. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District and to pay any applicable off-site mitigation fees.
3. The subdivider shall comply with Regulation VIII and Rule 8060 of the San Joaquin Valley Air Quality Pollution Control District for the control of particulate matter and fugitive dust during construction of this project.
4. The developer/owner shall pay the appropriate park facilities fee and/or dedicate lands for parks and recreation purposes pursuant to Ordinance Nos. 2005-112 and 2005-113 adopted by the Fresno City Council on September 27, 2005; and, Ordinance No. 2016-57 adopted by the Fresno City Council on December 15, 2016.
5. Submit grading plans and a soils report to the City of Fresno Development and Resource Management Department, Development Services (Planning) Division for verification prior to Final Map approval. Grading plans shall indicate the location of any required walls and indicate the proposed width of required landscape easements or strips. Approval of the grading plan is required prior to Final Map approval.
6. At the time of Final Map submittal, the subdivider shall submit engineered construction plans to the City of Fresno Public Works, Public Utilities, and Development and Resource Management Departments for grading, public sanitary sewer system, public water system, street lighting system, public streets, and storm drainage, including other technical reports and engineered plans as necessary to construct the required public improvements and work and applicable processing fees.

7. Engineered construction plans shall be approved by the City prior to the approval of the Final Map. If, at the time of Final Map approval, such plans have not been approved, the subdivider shall provide performance security in an amount established by the City to guarantee the completion of plans.
8. Public utilities easements, as necessary, shall be shown on the Final Map and dedicated to the City of Fresno. Public utility easements beyond the limits of the Final Map, but required as a condition of development, shall be acquired at the subdivider's cost and shall be dedicated by separate instrument at the time of Final Map approval. The relocation of existing utilities necessitated by the required public improvements shall be paid for by the subdivider. The subdivider is responsible to contact the appropriate utility company for information.
9. Comply with the conditions, policies and standards set forth in the City of Fresno, Municipal Code, Chapter 15, Part IV: "Land Divisions;" Resolution No. 68-187, "City Policy with Respect to Subdivisions;" and City of Fresno Standard Specifications, 2002 Edition, and any amendments thereto.
10. The subdivider shall pay applicable fees for, but not limited to, plan checks for street improvements and other grading and construction; street trees, street signs, water and sewer service, and inspections in accordance with the City of Fresno Master Fee Schedule (City Resolution No. 79-606 and No. 80-420) and any amendments, modifications, or additions thereto; and in accordance with the requirements of State law as related to tentative maps.
11. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the Fresno Municipal Code (FMC) and the State Subdivision Map Act. The subdivider shall complete all the public improvements prior to the approval of the Final Map by the City. If, at the time of Final Map approval, any public improvements have not been completed and accepted in accordance with the standards of the City, the subdivider may elect to enter into an agreement with the City to thereafter guarantee the completion of the improvements.
12. As a condition of Final Map approval, the subdivider shall furnish to the City a subdivision guarantee listing all parties having any right, title or interest and the nature of their interest per State law.

GENERAL INFORMATION

13. Prior to the issuance of building permits for the subdivision, school construction fees shall be paid to the respective school district, in which the subject property is located, in accordance with the school district's adopted schedule of fees.
14. Contact the United States Postal Service for the location and type of mailboxes to be installed in this subdivision.
 - a) It is recommended that at least 6 months prior to the first occupancy, the Developer shall contact the local United States Postal Service representative to complete a Mode of Delivery Agreement for New Construction. The Mode of Delivery Agreement must have a District approval signature to be valid. In addition to completing the Agreement, the Developer shall provide a final map (with address details) to the local USPS representative. The Developer shall, at their own expense, procure, construct and install all mail receptacle facilities for each location as specified and approved by the USPS.
15. Pursuant to Section 66456.1 of the Subdivision Map Act, which states "The right of the subdivider to file multiple Final Maps shall not limit the authority of the local agency to impose reasonable conditions relating to the filing of multiple Final Maps," any multiple final maps filed by the subdivider on this tract shall fully and independently conform to all provisions of FMC Chapter 15, Part IV: "Land Divisions," including but not limited to Article 36, "Final Maps."
16. The developer/owner shall obtain any and all permits required for the removal or demolition of any existing building or structure located within the subdivision boundaries. The developer/owner shall also obtain any and all permits required for the proper abandonment/closure of any existing water well, septic tank/leach field or cesspool, and irrigation pipeline on the subject property. All such permits shall be obtained prior to commencement of tract grading work, in accordance with Chapter 13 of the FMC.
17. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately.
18. If there are suspected human remains, the Fresno County Coroner shall be immediately contacted (business hours: (559) 268-0109; after hours the contact phone number is (559) 488-3111 for the Fresno County Sheriff's Department). If remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission (phone number (916) 653-4082) shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center (phone number (805) 644-2289) shall be contacted to obtain a referral list of recognized archaeologists.

19. If animal fossils are uncovered, the Museum of Paleontology at the University of California, Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist; if the paleontologist determines the material to be significant, a recommendation shall be made to the City as to any further site investigation or preservation measures.
20. Apportionment of Special Assessment: If, as part of this subdivision, a division will be made of any lot or parcel of land upon which there is an unpaid special assessment levied under any State or local law, including a division into condominium interest as defined in Section 783 of the Civil Code, the developer/owner shall file a written application with the City of Fresno Director of Public Works, requesting apportionment of the unpaid portion of the assessment or pay off such assessment in full.

If the subdivider elects to apportion the assessment, the application shall contain the following information:

- a. A full description of each assessed lot, parcel or interest to be divided and of how such lot, parcel or interest will be divided;
- b. A request that the Engineer apportion the amount remaining unpaid on the assessment in accordance with applicable law; and
- c. Written consent of the owner(s) of each such lot, parcel, or interest to the requested apportionment.
- d. The application shall be filed prior to the approval of the Final Map(s) by the City and shall be accompanied by a fee in an amount specified in the Master Fee Resolution for each separate lot, parcel, or interest into which the original assessed lot, parcel or interest is to be divided. The fee shall be in an amount sufficient to pay all costs of the City and the Engineer of Work responsible for determining the initial assessment in making the requested apportionment.

MITIGATION MONITORING REQUIREMENTS

21. Development of the subject property shall be subject to implementation of all applicable mitigation measures, fees, and timelines included within the Initial Study and Mitigated Negative Declaration prepared for Environmental Assessment No. A-18-004/R-18-005/ANX-18-003/T-6214 dated July 27, 2018.

- a) The Mitigated Negative Declaration prepared for the proposed project is tiered off of the Fresno General Plan Master Environmental Impact Report (MEIR SCH No. 2012111015). Development of the subject property shall be subject to implementation of all applicable mitigation measures included within the MEIR for subsequent projects; included herein by reference.

ZONING & PROPERTY DEVELOPMENT STANDARDS

22. Upon conditional approval of Vesting Tentative Tract Map No. 6214/UGM, the subdivider may prepare a Final Map in accordance with the approved tentative map; and, the following:
- a) Approval of Vesting Tentative Tract Map No. 6214/UGM is contingent upon City Council approval of Plan Amendment Application No. A-18-004.
- b) Approval of Vesting Tentative Tract Map No. 6214/UGM is contingent upon City Council approval of Rezone Application No. R-18-005.
- c) Approval of Vesting Tentative Tract Map No. 6214/UGM is contingent upon City Council approval of Annexation Application No. ANX-18-003 for the Clinton-Fowler No. 2 Reorganization; and, the following:
- i) Recordation of a Final Map is contingent upon annexation to the City of Fresno and detachment from the Kings River Conservation District and Fresno County Fire Protection District.
- NOTE: These actions are under the jurisdiction of the Fresno Local Agency Formation Commission (LAFCO). The applicant, subdivider or developer is subject to and responsible for payment of any/all required fees for the entirety of the annexation pursuant to the policies of LAFCO and the City of Fresno; including any cost incurred to the City of Fresno by the detachment of all of the annexation's property from the Fresno County Fire Protection District.
23. The following street name changes shall be made to Vesting Tentative Tract Map No. 6214/UGM; and, shall be reflected on the Final Map(s):

FROM:	TO:
North A Avenue	North McArthur Avenue
North McArthur Avenue	North Whittier Avenue
East B Avenue	East Peralta Way

East C Avenue	East University Avenue
East Kerry Avenue	East Weldon Avenue
East D Avenue	East Berkeley Avenue
East E Avenue	East Yale Avenue
East F Avenue	East Vassar Avenue
East G Avenue	East Adena Avenue

- NOTE: For purposes of these conditions of approval or mitigation measures for the proposed project, any reference to the former street name shall be applicable to the latter street name to which the street name shall be changed.
24. Development of the subject property shall comply with all development standards of the RS-5 (Residential, Single-Family) zone district; Article 41 (Subdivision Design Standards); and, all applicable requirements of the Fresno Municipal Code.
25. Pursuant to Section 15-4105-F-3 of the FMC, double frontage lots which abut two approximately parallel streets and have a depth of less than 200 feet shall only be approved when access rights to one of the streets is relinquished. In all cases, both sides of a Double Frontage Lot shall be considered front yards.
- a) Relinquish direct vehicular access rights to the northerly property line of Lot 141 of Vesting Tentative Tract Map No. 6214/UGM, which fronts onto East Weldon Avenue.

Landscaping, Open Space and Walls

26. Proposed Outlot(s) "A" of Vested Tentative Tract Map No. 6214/UGM shall be dedicated for bicycle, pedestrian, and trail purposes in accordance with the adopted Active Transportation Plan and shall be maintained in accordance with the Maintenance Obligations stipulated herein below; or, in a manner which provides appropriate security and deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments. Trail rights-of-way and trail improvements are not eligible for Park Impact Fee credits or reimbursements.
27. Proposed Outlot(s) "B" & "C" of Vesting Tentative Tract map No 6214/UGM shall be dedicated for common open space purposes and shall be maintained in

accordance with the Maintenance Obligations stipulated herein below; or, in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments. The dedication of this property shall fully satisfy the developer's requirement to dedicate 0.6 acres per 1,000 residents of open space as required by Fresno Municipal Code Section 12-4.705ii. The Developer will also be eligible to receive Park Impact fee credits (Quimby) for up to 0.4 acres of open space dedication.

28. Proposed Outlot(s) "D" of Vesting Tentative Tract Map No. 6214/UGM shall be dedicated for Fresno Irrigation District (Mill No. 36 Canal) purposes and shall be maintained in accordance with the Maintenance Obligations stipulated herein below; or, in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.
29. Pursuant to Section 15-4105-F-2 of the Fresno Municipal Code, the subdivider shall provide a minimum 10-foot wide landscape easement (and irrigation system) along the westerly property lines of all lots with frontage on North Fowler Avenue (i.e., Lots 1-7 of Vesting Tentative Tract Map No. 6214/UGM).
 - a) Construct a 6-foot high solid masonry sound wall (at finished grade of proposed site) pursuant to the solid wall requirements of Section 15-2006 & 15-2018 of the FMC behind the required 10-foot wide landscape easement along the westerly property lines of all lots with frontage on North Fowler Avenue (i.e., Lots 1-7 of Vesting Tentative Tract Map No. 6214/UGM).
30. Pursuant to Section 15-4105-F-2 of the Fresno Municipal Code, the subdivider shall provide a minimum 10-foot wide landscape easement (and irrigation system) along the northerly property lines of all lots with frontage on East Clinton Avenue (i.e., Lots 92-102 of Vesting Tentative Tract Map No. 6214/UGM).
 - a) Construct a 6-foot high solid masonry sound wall (at finished grade of proposed site) pursuant to the solid wall requirements of Section 15-2006 & 15-2018 of the FMC behind the required 10-foot wide landscape easement along the rear property lines of all lots with frontage on East Clinton Avenue (i.e., Lots 92-102 of Vesting Tentative Tract Map No. 6214/UGM).
31. Pursuant to Section 15-4105-F-2 of the Fresno Municipal Code, the subdivider shall provide a minimum 10-foot wide landscape easement (and irrigation system) along the northerly property lines of all lots with frontage on East

McKinley Avenue (i.e., Lots 177-181 & 198 of Vesting Tentative Tract Map No. 6214/UGM).

- a) Construct a 6-foot high solid masonry sound wall (at finished grade of proposed site) pursuant to the solid wall requirements of Section 15-2006 & 15-2018 of the FMC behind the required 10-foot wide landscape easement along the rear property lines of all lots with frontage on East McKinley Avenue (i.e., Lots 177-181 & 198 of Vesting Tentative Tract Map No. 6214/UGM).
32. Pursuant to Section 15-4105-G-2-a of the FMC, when a Local Street intersects a Major Street and the corner lot sides onto the Local Street, the corner lot shall provide a minimum 8-foot wide landscaped strip (or easement subject to the conditions contained herein below) and irrigation system along the street side yard of the respective corner lot (i.e., Lots 1, 102 & 181 of Vesting Tentative Tract Map No. 6214/UGM).
- a) A greater landscape strip may be necessary for visibility purposes pursuant to Section 15-2018 of the FMC; and/or, for purposes of inclusion within the Community Facilities District (CFD) for maintenance purposes.
 - i) The subdivider shall provide a minimum 10-foot wide landscape easement along the street side yards of Lots 1, 102 & 181 of Vesting Tentative Tract Map No. 6214/UGM as necessary for purposes of inclusion within the CFD for maintenance purposes.
 - b) A minimum 6-foot high masonry wall (at finished grade of proposed site) pursuant to the solid wall shall be placed at the rear of the landscape strip or easement along the street side yards of Lots 1, 102 & 181 of Vesting Tentative Tract Map No. 6214/UGM in accordance with the requirements of Section 15-2006 & 15-2018 of the FMC.
33. Provide a landscape strip (and irrigation system) at the end of all interior blocks (i.e., Lots 8, 20, 25, 30, 35, 36, 41, 58, 83, 111, 112, 129, 130, 144, 182, 189, 190 & 197 of Vesting Tentative Tract Map No. 6214/UGM), in accordance with Section 15-4105-G-2-b of the FMC; and the following:
- a) A minimum landscape strip of five feet and irrigation system is required along the street side yard of the respective corner lot; unless a minimum four-foot wide park strip is provided between the curb and sidewalk.
 - i) The landscape strip/buffer shall be located adjacent to the "sidewalk pattern" within the adjacent public street rights-of-way and shall

incorporate street trees to shade the adjacent sidewalks in accordance with Public Works standards, specifications, and policies.

- b) A minimum 6-foot high masonry wall (at finished grade of proposed site) pursuant to the solid wall shall be placed at the rear of the required landscape strips in accordance with the requirements of Section 15-2006 & 15-2018 of the FMC; with the following exceptions:
 - i) An opening in the masonry wall may be permitted to provide a gate for access if approved by the Public Works Director.
- 34. Landscaping, which is compliant with the City of Fresno "Anti-Graffiti Landscaped Buffer Development and Planting Standards," shall be required at all interior end-blocks and adjacent to all required walls or fences that are accessible to the public and shall be maintained in accordance with the Maintenance Obligations stipulated herein below; or, in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.
- 35. The subdivider is required to provide street trees on all street frontages per Fresno Municipal Code standards and is responsible for the dedication of public planting and buffer landscape easements as determined by the Development and Resource Management and Public Works Departments.
 - a) Street trees shall be planted at the minimum rate of one tree for each 40 feet of street frontage; or, one tree per home (whichever is greater) by the developer.
 - i) The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with FMC Section 15-2309.
 - NOTE: Irrigation systems shall comply with the requirements of the California Green Building Standards Code and/or the California Model Water Efficient Landscape Ordinance and/or California Plumbing Code as may be amended.
- 36. Provide a corner cut-off area at all intersections, driveways and alleys where walls or fences and/or landscaping are proposed and/or required, in accordance with Section 15-2018 of the FMC.
 - a) Street Intersections. Vegetation and/or structures, flagpoles, signs, fences or walls may not exceed a height of three feet within the triangular sight-distance

area formed by the intersecting curb lines (or edge of pavement when no curb exists) and a line joining points on these curb lines at a distance of 30 feet along both lines from their intersection.

- i) Trees that are located within the sight distance triangle shall have a clearance of eight feet high minimum between the lowest portion of the canopy and the sidewalk and street.
 - b) Driveways and Alleys. Visibility of a driveway crossing a street lot line shall not be blocked above a height of three feet by vegetation or structures for a depth of 12 feet as viewed from the edge of the right-of-way on either side of the driveway at a distance of 12 feet. Street trees shall be pruned at least seven feet above the established grade of the curb so as not to obstruct clear view by motor vehicle drivers.
37. When the grading plan establishes a top of slope beyond the required landscape strip/easement noted and the construction of the required wall(s) is to be established coincident with the top of slope then the required minimum easement width shall be expanded to include the full landscaped area up to the wall location.
38. All proposed/required landscaped easements/buffers, open space areas, pedestrian connections, entryways, pathways and/or private on-site landscaping for street tree purposes shall be improved in accordance with landscape improvement plans, which are to be submitted to the Development and Resource Management and Public Works Departments for review and approval prior to Final Map approval.
- NOTE: Lighting and fence/wall details for any proposed/required open spaces areas or pedestrian connections shall be provided with the submittal of the landscape improvement plans.
- a) Any proposed improvements within Pacific Gas & Electric (PG&E) or Fresno Irrigation District (FID) easement areas will require approval by the respective service provider/district agency prior to approval or acceptance by the City of Fresno.
 - i) Easement Encroachment Applications and/or Agreements will be required as dictated by the respective service provider/district agency and will be required to be executed prior to issuance of permits for improvements.

39. Maintenance of any/all required landscape easements, strips and/or proposed Outlots within the boundary of Vesting Tentative Tract Map No. 6214/UGM shall be provided pursuant to the Maintenance Obligations stipulated herein below or in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.
40. Comply with all street tree, buffer landscaping, median island, outlot, and trail requirements included within the attached memorandum from the Department of Public Works, Streets Division dated July 03, 2018.

STREETS AND RIGHTS-OF-WAY

41. The subdivider shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements in accordance with all applicable provisions of the FMC and the State Subdivision Map Act.
38. The subdivider shall make provisions for disabled persons in accordance with the Department of Public Works standards and as required by State law. Handicap access ramps are required to be constructed in sidewalks at all corners within the limits of the tract. Where street furniture is located within the sidewalk area (fire hydrants, streetlights, etc.), a minimum of 48 inches of unobstructed path shall be maintained to satisfy the American Disabilities Act requirements. If necessary, dedicate a pedestrian easement to accommodate for the 4-foot minimum unobstructed path requirement.
39. Comply with all of the requirements included within the attached Public Works Department, Traffic Operations and Planning Services Division memorandums dated July 18, 2018 and July 19, 2018.

SANITARY SEWER SERVICE

The nearest sanitary sewer main to serve the proposed project is a 12-inch sewer main located in East Clinton Avenue and 39-inch sewer in trunk located in Fowler Avenue. Sanitary sewer facilities are available to provide service to the site subject to the following requirements:

40. Comply with all of the requirements included within the attached Department of Public Utilities (DPU), Planning and Engineering Division (Sanitary Sewer) memorandum dated July 09, 2018.

WATER SERVICE

The following water improvements shall be required prior to providing City water service to the project:

41. Comply with all of the requirements included within the attached Department of Public Utilities (DPU), Water Division memorandum dated July 30, 2018.

SOLID WASTE SERVICE

38. Comply with all of the requirements included within the attached Department of Public Utilities (DPU), Solid Waste Management Division memorandum dated July 09, 2018.

FIRE SERVICE

Fire service is available to the proposed tract subject to the following requirements:

39. Comply with all of the requirements included within the attached Fresno Fire Department memorandum dated July 27, 2018.

FLOOD CONTROL AND DRAINAGE

40. The subdivider shall be required to comply with the specific requirements imposed by the Fresno Metropolitan Flood Control District (FMFCD) for the subdivision or any amendments or modifications to those requirements which may be granted by the FMFCD Board of Directors, pursuant to Section 13-1307 of the Fresno Municipal Code. These requirements are identified in the District's memorandums to the Development and Resource Management Department dated July 27, 2018.
 - a) Any temporary basin constructed for or used by this subdivision requires approval of FMFCD and the City of Fresno, and may only be implemented through a covenant between the City and the Developer prior to final map approval. Temporary basins shall be fenced within seven days of the time a basin becomes operational, and fencing shall conform to City of Fresno Public Works Standard No. P-98. The Fresno Mosquito and Abatement District shall be provided access rights and a means of entry for inspection and mosquito abatement activities for all on-site basins (refer to attached map of mosquito abatement districts in the Fresno-Clovis Metropolitan Area). Attached hereto, and incorporated by reference, is a copy of the updated Public Works Standard No. P-97 for temporary on-site ponding basins, and a copy of the City of Fresno's Guidelines for Ponding Basin / Pond Construction

and Management, dated October 29, 2004. Maintenance of temporary ponding basins shall be by the Subdivider until permanent service for the entire subdivision is provided unless such facilities, if proposed, are required to be annexed into the Community Facilities District by the Public Works Department prior to Final Map recordation.

COUNTY OF FRESNO DEPARTMENT OF PUBLIC HEALTH

41. Comply with all of the requirements included within the attached County of Fresno, Department of Public Health memorandum dated June 29, 2018.

FRESNO IRRIGATION DISTRICT (FID)

46. Comply with all requirements included within the attached memorandum from the Fresno Irrigation District dated July 03, 2018.

PACIFIC GAS AND ELECTRIC COMPANY (PG&E)

46. Comply with all requirements included within the attached memorandum from the Pacific Gas and Electric Company dated July 02, 2018.

CLOVIS UNIFIED SCHOOL DISTRICT

46. Comply with all requirements included within the attached memorandum from the Clovis Unified School District dated June 25, 2018.

RIGHT-OF-WAY ACQUISITION

47. The developer will be responsible for the acquisition of any necessary right-of-way to construct any of the required improvements.
48. Rights-of-way acquisition shall include any rights-of-way necessary for proper drainage, signing, pole relocation, and shoulder grading. In general, this will require right-of-way to be provided approximately 10 feet outside the travel lane. The exact requirement must be determined at the project design stage based on the existing conditions and detailed design information.
49. In the event an acquisition of any easement or right-of-way is necessitated by the subject development, said acquisition will be accomplished prior to Final Map approval. The developer/owner should contact the Real Estate Section of the Public Works Department to receive procedural guidance in such acquisitions.

50. Should such acquisition not be accomplished by the subdivider prior to Final Map approval, the subdivider must request and grant to the City the full authority to attempt acquisition either through negotiation or through its power of eminent domain. The subdivider shall furnish to the City Public Works Department, Engineering Division/ Real Estate Section, an appraisal report or a request for an estimated appraisal amount (to be determined by the City of Fresno Real Estate Section) prior to preparation of a Subdivision Agreement.
51. The subdivider shall submit adequate security in the form of a cash deposit to guarantee payment of all costs associated with the acquisition, including staff time, attorney's fees, appraisal fees, court costs, and all related expenditures and costs necessary to effect the acquisition of such easements or rights-of-way.

MAINTENANCE OBLIGATIONS

The long term maintenance of all the items listed below is ultimately the responsibility of the owner/developer:

52. With the exception of those areas which may be eligible for inclusion within the Community Facilities District (CFD) as referenced herein below, obligations for retention and maintenance of required end-block landscaped areas or strips for all corner lots shall be the responsibility of the respective property owner(s) on which the landscaped area is located.
 - a) Execute a covenant for all properties for which retention and maintenance of an end-block landscaped area or strip on a corner lot, in accordance with Section 15-4105-G-2-b of the FMC, is the responsibility of the respective property owner prior to recordation of a Final Map.
 - NOTE: The covenant shall disclose and acknowledge all responsibilities associated with these conditions of approval to prospective buyers when individual lots are sold and identify terms, as appropriate, to assure compliance. The covenant shall be prepared in a form approved by the City of Fresno.
53. Comply with all the requirements included within the attached Department of Public Works, Traffic Operations and Planning Division memorandum regarding Conditions for Maintenance Requirements dated July 30, 2018; and, the following:

54. If the owner/developer chooses to be annexed into the City's CFD for maintenance purposes, then an Annexation Request Package shall be submitted to the Public Works Department for review, processing, and approval.

- NOTE: Packages must be complete with all required information in order to be accepted. The Annexation Request Form is available online on the City of Fresno website (<http://www.fresno.gov>) under the Public Works Department Developer Doorway.

a) Construction plans for all features to be maintained by a CFD for a final map shall be included in the final map submission to the Development Department for processing. Where applicable, this shall include a Street Tree Location and Street Tree Species (by street) map. Landscaping plans shall contain actual tree and plant counts by species and include the areas (in square feet) of turf, shrubs and trees, and sidewalks or other paved areas within all landscaped areas.

- NOTE: The Department of Public Works will not be responsible for the maintenance of any outlots if they are not included into the Community Facilities District (CFD). If the outlots are to be included into the CFD, the Department of Public Works will require that landscape and irrigation plans be submitted with landscape buffer plans for approval prior to inclusion into the CFD.

b) Proceedings to place the Final Map into a CFD shall not commence until the Final Map, Landscape and Street Construction Plans are considered to be technically correct.

c) If the developer/subdivider elects to petition for annexation into the City's Community Facilities District, he/she shall be required to provide the City of Fresno, Department of Public Works, with copies of signed acknowledgments from each purchaser of a lot within the subdivision, attesting to the purchasers understanding that the lot will have an annual maintenance assessment and that he/she is aware of the estimated amount of the assessment. The developer/subdivider shall execute and record a covenant on each lot providing notice that the subject property is subject to annual payment of the Community Facilities District assessment.

52. Should the City Council or owner/developer choose not to include all of the maintenance items or certain items listed above in a CFD, then the property owner/developer shall be responsible for establishing a Home Owners' Association (HOA) or other property based management mechanism which

provides for the maintenance of these items in a manner which provides appropriate security and is deemed acceptable to both the City of Fresno Development and Resource Management and Public Works Departments.

a) The subdivider shall establish a Home Owners' Association (or other approved mechanism) to perform the above listed maintenance responsibilities pursuant to Article 40 of Chapter 15 of the Fresno Municipal Code. The Declaration of Covenants, Conditions, and Restrictions (CC&R's) described herein, shall among other things, specify level of effort, frequency, and inspection of maintenance responsibilities, name the City as a third party beneficiary for those provisions, and be subject to approval by the Director of Public Works and the City Attorney's Office. Any amendment to the above provisions or any other provision specifying any right of the City shall require the prior written consent of the City.

- NOTE: Should the owner/developer elect to establish a Home Owners' Association to perform maintenance obligations and assure that said obligations are met, then the owner/developer may include such other items as are deemed appropriate and necessary for the sustainability of the subdivision and its amenities within the responsibilities of the association.

b) The proposed Declaration of Covenants, Conditions, and Restrictions (CC&Rs) and the proposed instruments for the homeowners association shall be submitted to the Development and Resource Management Department for review prior to final map approval. Said documents shall be recorded with the final map or alternatively submit recorded documents or documents for recording prior to final acceptance of subdivision improvements. Said documents shall include assignment of responsibility to the homeowners association for landscaping and other provisions as stated in the Development and Resource Management Department Guidelines for preparation of CC&Rs dated September 01, 1994.

DEVELOPMENT FEES AND CHARGES

This project is subject to the following fees and charges:

a. Applicable Flood Fees as determined by the Fresno Metropolitan Flood Control District.

(Reference Fresno Metropolitan Flood Control District requirements included herein above and notes below for further information)

<i>SEWER CONNECTION CHARGES</i>	<i>FEE RATE</i>
b. Lateral Sewer Charge [1]	\$0.10/sq. ft. (to 100' depth)
c. Oversize Charge [1]	\$0.05/sq. ft. (to 100' depth)
d. Trunk Sewer Charge [2] Service Area: Fowler	\$344/living unit
e. Wastewater Facilities Charge [3]	\$2,119/living unit
f. Fowler Trunk Sewer Interim Fee Surety [1]	\$574/living unit
g. House Branch Sewer Charge [2]	N/A

<i>WATER CONNECTION CHARGES</i>	<i>FEE RATE</i>
h. Service Connection Charge	Fee based on service(s) and meter(s) sizes specified by owner; fee for service(s) and Meter(s) established by the Master Fee Schedule.
i. Frontage Charge [1]	\$6.50/lineal foot
j. Water Capacity Fee [1]	\$4,365/living unit*

* Fee based on meter(s) sizes specified by owner; fee for Water Capacity established by the Master Fee Schedule.

<u><i>CITYWIDE DEVELOPMENT IMPACT FEES</i></u>	<u><i>FEE RATE</i></u>
k. Fire Facilities Impact Fee – Citywide [4]	\$779/living unit
l. Park Facility Impact Fee – Citywide [4]	\$2738/living unit
m. Quimby Parkland Dedication Fee [2]	\$1185/living unit
n. Police Facilities Impact Fee – Citywide [4]	\$602/living unit
o. Citywide Regional Street Fee [3]	\$7,830/adj. acre
p. New Growth Area Major Street Fee [3]	\$21,555/adj. acre

q. Traffic Signal Charge [1] \$488.00/living unit

Notes:

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to approval of the final map at the rates in effect at the time of such approval. The fee indicated above is based on the tentative map. Please see the attached memorandum from the Fresno Metropolitan Flood Control District (FMFCD) for further information regarding considerations which may affect the fee obligation(s) or the timing or form of fee payment.

On July 22, 2008, the Fresno County Board of Supervisors passed Ordinance No. 2008 – 023 requiring the payment of County Public Impact Facilities Impact Fees. The effective date of this ordinance is September 20, 2008. Contact the County of Fresno, Public Works and Planning Department to determine payment of this fee obligation. Confirmation by the County of Fresno is required before the City of Fresno can issue building permits. (The requirement to pay this fee is currently suspended by Fresno County. However, payment of this fee may be required if the fee has been reinstated at the time of issuance of building permits on the subject property.)

The Board of Directors of the Fresno County Regional Transportation Mitigation Fee Agency approved Resolution No. 2009 – 01 requiring the payment of Regional Transportation Mitigation Fee. The effective date of this resolution is January 1, 2010. Contact the Council of Fresno County Governments (FCOG) to determine this fee obligation. Confirmation by the FCOG is required before the City of Fresno can issue building permits.

* Living Unit Equivalents are calculated by multiplying the number of Net Acres by 5.8 Living Unit Equivalents for commercial or 3.0 Living Unit Equivalents for industrial to arrive at the total number of Living Unit Equivalents.

**Upon occupancy of the project, the subdivider shall pay the appropriate sewer facility charge pursuant to the Simple Tiered Equity Program (STEP) as determined by the Department of Public Utilities, Wastewater Division, Environmental Services Section (559-621-5153).

[1] Deferrable through Fee Deferral Covenant.

[2] Due at Final Map.

[3] Due at Building Permit.

[4] Due at Certificate of Occupancy.

Task Details Land Division Engineering

Current Status

Reviewed with
Conditions

Status Date

06/25/2018

Due Date

07/04/2018

Action By

Jon
Bartel

Action by Department

DPU_DPW

Assigned Date

06/19/2018

Assigned to Department

DPU_DPW

Assigned to

Jon
Bartel

Comments

Comply with Section 15-6203 of the Fresno Municipal Code.

Change North A Avenue to North McArthur Avenue.

Change North McArthur Avenue to North Whittier Avenue.

Change East B Avenue to East Peralta Way.

Change East C Avenue to East University Avenue.

Change East Kerry Avenue to East Weldon Avenue.

Change East D Avenue to East Berkeley Avenue.

Change East E Avenue to East Yale Avenue.

Change East F Avenue to East Vassar Avenue.

Change East G Avenue to East Adena Avenue.

DEPARTMENT OF PUBLIC WORKS

TO: Will Tackett, Supervising Planner
DARM, Planning Division

FROM: Hilary Kimber, Parks Supervisor II (559.621.1345)
Public Works, Street Maintenance Division

DATE: July 3, 2018

SUBJECT: **Tract 6214; 2220 North Fowler Avenue** (APN: 310-041-16) located on the southeastt corner of North Fowler and East Clinton Avenues. The Department of Public Works has reviewed the Tentative Tract Map proposed by LandDesign Constulting, on behalf of Woodside Homes of Central Valley. The Department of Public Works offers the following comments regarding the requirements for landscaping and irrigation in the street right-of-ways, landscape easements, outlots and median islands:

GENERAL REQUIREMENTS

STREET TREE REQUIREMENTS

1. The subdivider is required to provide street trees on all public street frontages per Fresno Municipal Code and for the dedication of planting and buffer landscaping easements as determined by the Planning Department. Street trees shall be planted at the minimum rate of one tree for each 60' of street frontage or one tree per home (whichever is greater) by the Developer. The subdivider is required to provide irrigation for all street trees. The irrigation system shall comply with FMC 12-306-23, Water Efficient Landscape Standards and AB 1881.
2. Street Tree Planting by Developer: For those lots having internal street tree frontage available for street tree planting, the developer shall plant one tree for each 60' of street frontage, or one tree per lot having street frontage, whichever is greater. Tree planting shall be within a 10' Public Planting and Utility Easement.
 - a. Street tree inspection fees shall be collected for each 60' of public street frontage or one tree per lot whichever is greater.
 - b. Street trees shall be planted in accordance with the City of Fresno, Department of Public Works "Standard Specifications."
 - c. Landscape plans for all public use areas, such as parkways, buffers, medians and trails, shall be reviewed and approved by the Department of Public Works, Engineering Services. A street tree planting permit shall be required for all residential street tree planting.
 - d. Performance and payment securities, paid with final map, will be released when all landscaping installed on public and/or city controlled property is in conformance with the Specifications of the City of Fresno.
 - e. Upon acceptance of the required work, warranty security shall be furnished to or retained by the city for guaranty and warranty of the work for a period of ninety days following acceptance.

BUFFER LANDSCAPING & MAINTENANCE REQUIREMENTS

1. The subdivider shall provide long term maintenance for all proposed landscaped areas by either petitioning for annexation in the Community Facilities District or by forming a Home Owner's Association.
2. Maintenance Service Through Annexation into the Community Facilities District. Landscape and Irrigation plans are required and shall be submitted to the Department of Public Works for review and approval prior to a Council approval of the final map. Plans shall be numbered to conform to and be included in the Department of Public Works street construction plan set for the final map. Fees are applicable when the subdivider elects to have landscaping maintained by annexing into the City's Community Facilities District.
 - A. Landscaping shall comply with Landscape Buffer Development Standards approved by the City Council on October 2, 1990. Landscape and irrigation plans shall comply with Sections 12-306-23 & 24 and 14-121 of the Fresno Municipal Code regarding Water Efficient Landscaping and Buffer landscaping.
 - B. Should the proposed landscape buffers and/or parkway strips be located next to an existing buffer and/or parkway strip, the planting concept shall simulate the adjacent landscape design to present a more uniform appearance on the street. Variances in the landscape concept will be acceptable, but the design of the new landscape buffer and/or parkway strip shall strive to mimic the existing as much as possible.
 - C. Landscape plans shall indicate grades on a cross-section detail to include fencing or wall details. All fencing shall be placed outside the landscape easement. Maximum slopes shall not exceed 4:1 with 1 foot of level ground between the slope and the back of the side walk and/or face of fence. Erosion control measures shall be implemented on all slopes of 4:1, including the use of synthetic erosion control netting in combination with ground cover species approved by the Department of Public Works/Engineering Services Division.
 - D. The water meter(s) serving the buffer landscaping shall be sized for the anticipated service flows.
 - E. No private flags, signs or identification of any kind shall be permitted in the right-of-way, within the City - controlled easement or on the fence or wall facing the street.
 - F. Landscaping in the right-of-way and landscape setback adjacent to water well sites shall be the responsibility of the City of Fresno Water Division and may not be included in the CFD.

MEDIAN ISLAND LANDSCAPE REQUIREMENTS

1. When median islands front onto the proposed development project, applicants shall submit Plans to the Public Works/Engineering Services showing the location and configuration of all median islands fronting the proposed project.
2. The Public Works Department will review and evaluate existing median island(s) for a determination of all required improvements prior to approval of Final Map.
3. Landscape and irrigation is required on all new construction of median islands and shall be applied in accordance with the City of Fresno, Public Works Department Standards & Specifications and FMC sections 12-306-24 and 12-306-23 and AB 1881. The Public Works Department requires all proposed median islands to be constructed with a one foot

wide colored concrete strips, flush along curb edge, in a 12 inch by 12 inch brick red slate pattern.

4. Trees shall not be planted in sections which are less than eight (8) feet wide unless approved by the Public Works Department. Sections less than eight (8) feet shall be capped with concrete as an integral part of the off site improvements, whether the median is landscaped or not.

OUTLOTS

1. The Department of Public Works will not be responsible for the maintenance of any outlots if they are not included into the Community Facilities District (CFD). If the outlots are to be included into the CFD, the Department of Public Works will require approved landscape and irrigation plans to be submitted with landscape buffer plans prior to inclusion into the CFD.
2. Outlots which are utilized for water well purposes **will not** be included in the CFD. The Water Division Department in Public Utilities will provide the maintenance of all plant material on the well site.

TRAIL REQUIREMENTS

1. The trail shall be constructed in accordance with the "Master Trails Manual" and the Public Works Department standards. The subdivider is responsible for the trail construction. The subdivider is responsible for all landscape and irrigation improvements for and within the trail. Construction plans shall be submitted and shall include landscaping and automatic drip irrigation design. Trail cross-sections will be required with submittal of Street Plans and Landscaping/Irrigation Plans for review and approval. These plans shall be in compliance with current City standards and approved by the Department of Public Works. Landscaping within the regional/multipurpose trail shall include large, medium and low-growing shrubs planted from 3 to 6 feet apart depending on variety, and trees spaced approximately 25 to 45 feet apart to provide 50% shade coverage onto the planting area and pathway. Landscaping adjacent to walls or fences shall comply with "Landscaped Buffer Development Standards." All planting areas shall be irrigated with an automatic system.
2. If a trail is to be installed along Outlot A along Mill Ditch #36, landscape/irrigation plans will be required.
3. Any proposed landscaping along the 40' Fresno Irrigation Easement (Gow #99)/50' PG&E transformer line easement (Outlots B & C) shall be no taller than 10 feet.



DATE: July 19, 2018

TO: Will Tackett
Development and Resource Management Department

THROUGH: Andrew Benelli, PE, Assistant Director, City Engineer *apb*
Public Works Department, Traffic Engineering Operations and Planning Division

FROM: Louise Gilio, Traffic Planning Supervisor *LG*
Public Works Department, Traffic Engineering Operations and Planning Division

SUBJECT: Public Works Conditions of Approval
TT 6214, PZ18-40000004
6191 East Clinton Avenue
Woodside Homes / Landdesign Consulting

The Public Works Department, Traffic Engineering Operations and Planning Division, has completed its review and the following requirements are to be placed on this tentative map as a condition of approval by the Public Works Department.

Provide the following information prior to the acceptance of the final map submittal. This can result in additional conditions of approval.

1. Revise Section B-B to match the plan view.
2. Identify the 1' pedestrian easements on the local streets and 2' pedestrian easement on Fowler.

General Conditions:

1. Street Dedications: Provide corner cut dedications at all intersections for accessibility ramps.
2. Local to Collector Street Intersections: The intersection of two local continuous streets shall have a minimum of 160' offset measured from center line to center line.
3. Outlots: If the subdivider seeks to dedicate to the City, in fee, an outlot for open space purposes, subdivider shall prove to the City that the outlot is free of toxic or hazardous materials pursuant to the requirements of City Administrative Order 8-1, including, but not limited to, performing a Phase I Soils Investigation. The soils Investigation report shall be submitted to the Public Works Department for review and approval. The subdivider must obtain Public Works approval of the soils investigation report and complete any mitigation work identified by the soils investigation prior to subdivider's submittal of the Final Map to the Public Works Department. Any and all costs associated of the soils investigation and any required mitigation work shall be performed at the sole expense of the subdivider.
4. The construction of any overhead, surface or sub-surface structures and appurtenances in the public right of way is prohibited unless an encroachment covenant is approved by the City of

Fresno Public Works Department, Traffic and Engineering Services Division, (559) 621-8681. Encroachment permits must be approved prior to issuance of building permits.

5. Street widening and transitions shall also include utility relocations and necessary dedications.
6. Overhead Utilities: Underground all existing offsite overhead utilities with the limits of this map in accordance with Fresno Municipal Code Section 15-4114.
7. Irrigation /Canal Requirements: The developer shall enter into an agreement with the Fresno Irrigation District (FID) providing for piping the canal(s) and submit an executed copy of the agreement or commitment letter from FID to the Development and Resource Management Department. All piping shall be located outside of the proposed street right of way. Any piping across city streets shall be rubber gasketed reinforced concrete pipe (RGRCP) constructed perpendicular to the street. Submit engineered plans to Public Works Department, Traffic and Engineering Services Division, for review and approval. Identify the proposed easement and provide a final cross sectional detail on the map.
8. Plan Submittal: Submit the following plans, as applicable, in a single package, to the Public Works Department for review and approval: Street: construction, signing, striping, traffic signal and streetlight and Trail: construction, grading, lighting, striping, signing, landscape and irrigation.

Frontage Improvement Requirements:

Public Streets:

Clinton Avenue: Collector (PHASE I)

1. Dedication Requirements:
 - a. Dedicate **36'** of property, from section line, for public street purposes, within the limits of this application, per Public Works Standard **P-54**.
 - b. Dedicate a corner cuts for public street purposes at the intersection of Clinton and Laverne.
 - c. Relinquish direct access rights to Clinton Avenue from all lots within this subdivision.
2. Construction Requirements:
 - a. Construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **12'** residential pattern. Construct a **6'** residential sidewalk per Public Works Standard **P-54**.
 - b. Construct **20'** of permanent paving (measured from face of curb) within the limits of this subdivision.
 - c. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-8** for Collector Streets.

Fowler Avenue: Arterial (PHASE I)

1. Dedication and / or Vacation Requirements:
 - a. Dedicate **50'** of property, from center line, for public street purposes, within the limits of this application, per Public Works Standard **P-52**. Center line shall be established per approved GAD.
 - b. Dedicate a **2'** pedestrian easement within the limits of this application.
 - c. Dedicate corner cuts for public street purposes at the intersection of Fowler and Kerry.
 - d. Relinquish direct access rights to Fowler Avenue from all lots within this subdivision.

2. Construction Requirements:
 - a. Construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **12'** residential pattern. Construct a **6'** residential sidewalk per Public Works Standard **P-52**.
 - c. Construct **20'** of permanent paving within the limits of this subdivision.
 - d. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-7** for Arterial Streets.

McKinley Avenue: Collector (PHASE II)

1. Dedication Requirements: Both sides
 - a. Dedicate 36' of property, from center line, for public street purposes, within the limits of this application, per Public Works Standard P-54. Center line shall be established per Official Plan Line Number 150.
 - b. Dedicate corner cuts for public street purposes at the intersection of McKinley and Laverne.
 - c. Dedicate a **26'** (minimum) easement for Bike, Pedestrian and Landscape (BPLE) purposes only. (Additional right of way may be required for grading and drainage purposes.)
 - d. Relinquish direct access rights to McKinley Avenue from all lots within this subdivision.
2. Construction Requirements: Both sides
 - a. Construct concrete curb and gutter to Public Works Standard **P-5**. The curb shall be constructed to a **12'** pattern.
 - b. Construct a **12'** wide Bike and Pedestrian **Class I Trail**, complete with lighting, signing, striping and landscaping, per the Fresno General Plan, the Public Works **Standards P-58, P-59, P-60, P-61** and the Caltrans Highway Design Manual. Identify route on the map complete with a cross section. Construct an expressway barrier fence within the limits of the application, per Public Works Standards **P-74 and P-75**.
 - c. Construct **20'** of permanent paving (measured from face of curb) within the limits of this subdivision.
 - d. Construct an underground street lighting system to Public Works Standard **E-1** within the limits of this subdivision. Spacing and design shall conform to Public Works Standard **E-8** for Collector Streets.

Kerry and Laverne Avenues: Local Collector

1. Dedication Requirements: both sides
 - a. Dedicate **30'** of property, from center line, for public street purposes, within the limits of this application, per Public Works Standard **P-56**. Dedicate a corner cuts for public street purposes at intersections.
 - b. Dedicate property for street right of way to accommodate traffic calming, as approved on the street plans.
2. Construction Requirements: both sides
 - a. Construct **18'** of permanent paving per Public Works Standard **P-50**, within the limits of this application and transition paving as necessary.
 - b. Construct standard curb ramps per Public Works Standard **P-28**, based on a **20'** radius.

- c. Construct concrete curb, gutter and sidewalk to Public Works Standard **P-5**. The curb shall be constructed to a **7'-12'** residential pattern. Planting of street trees shall conform to the minimum spacing guidelines as stated in the Standard Specification, Section 26-2.11(C).
- d. Construct an underground street lighting system to Public Works Standard **E-2** within the limits of this application. Spacing and design shall conform to Public Works Standard **E-9** for Locals.

Interior Streets:

1. Dedicate, design and construct all curb, gutter, sidewalk, (both sides), permanent paving, cul-de-sacs, easements and underground street lighting systems on all interior local streets to Public Works Standard **P-56**. All driveways shall be constructed to Public Works Standards **P-4** and **P-6**. 1' Pedestrian easements are required behind all driveway approaches where the sidewalk pattern is less than 10'. Identify all easements on the map.
2. Garages: Garage setbacks shall be a minimum of 18' from the back of walk or street right of way, whichever is greater.
3. Provide a **10'** visibility triangle at all driveways.
4. Design local streets with a minimum of **250'** radius.
5. Local street lengths exceeding 800' and four way intersections may require traffic calming measures. Provide traffic calming at approximately Laverne and East and at Kerry and Millard.
6. Dead-end Streets: Any temporary dead-end streets created by this subdivision shall be properly barricaded in accordance with the Public Works Standard **P-100**. Identify and provide temporary turn arounds.

Specific Mitigation Requirements: This tract will generate **158 a.m. / 210 p.m.** peak hour trips; therefore, a Traffic Impact Study (TIS) is required and has been submitted. Comply with the mitigation measure requirements of the Traffic Engineering Manager in the attached letter dated July 18, 2018.

1. Relinquish direct vehicular access rights to :
 - a. the north property line of **lot 1**.
 - b. the east property line of **lot 102 and 181**.
2. The intersection of Fowler and Kerry Avenues shall be designed with a full median opening to allow for left turns-in and left turns-out.
3. The first order of work shall include a minimum of two points of vehicular access to the major streets for any phase of this development.
4. **60'** Entrance Street: Omit the median island at the intersection of McKinley and Laverne Avenues.

Traffic Signal Mitigation Impact (TSMI) Fee: This project shall pay the current Traffic Signal Mitigation Impact Fee (TSMI Fee) at the time of building permit based on the trip generation rate(s) as set forth in the latest edition of the ITE Generation Manual for single family units (fee rate as shown in the Master Fee Schedule).

Fresno Major Street Impact (FMSI) Fee : This Map is in the **New Growth Area**; therefore pay all applicable growth area fees and City-wide regional street impact fees. In some cases, center section improvements or bridges may be conditioned on multiple maps. If the improvements are existing at the time of the final map, the applicant would not be required to construct them, but would be required to pay the applicable fee.

Fresno Major Street Impact (FMSI) Requirements:

Fowler Avenue: Arterial (New Growth Area) Phase I

1. Dedicate and construct:
 - a. Northbound: the complete street from curb to curb within the limits of this subdivision and continue north to Clinton Avenue.
 - b. Southbound: (1) 12' southbound travel lane and (1) 5' shoulder within the limits of this subdivision and continue to Clinton Avenue.
 - c. A raised concrete median island within the limits of this subdivision and continue to Clinton Avenue. Construct a raised concrete median with 250' left turn pockets at all major intersections and a full opening at Kerry Avenue with stop control on Kerry. Details of said street shall be depicted on the approved tentative tract map. If not existing, an additional 8' dedication is required beyond the edge of pavement. Dedication shall be sufficient to accommodate arterial standard and any other grading or transitions as necessary based on a **55** MPH design speed.
2. If not existing, dedicate sufficient right-of-way and construct additional paving for northbound to southbound U-turns at Clinton per Public Works Standard **P-66**.

McKinley Avenue: Collector (Growth Area Street) Regional Street, both sides Phase II

1. Dedicate and construct the complete street from curb to curb within the limits of this subdivision. Dedication shall be sufficient to accommodate additional paving and any other grading or transitions as necessary based on a **45** MPH design speed.

Regional Transportation Mitigation Fee (RTMF): Pay all applicable **RTMF** fees to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148 ext. 200; www.fresnocog.org. Provide proof of payment or exemption **prior** to certificate of occupancy.

City Hall
2600 Fresno Street, 4th Floor
Fresno, California 93721
Ph. (559) 621-8800
www.fresno.gov

Scott L. Mozier, P.E.
Public Works Director

July 18, 2018

Will Tackett, Supervising Planner
Development and Resources Management Department
2600 Fresno Street, 3rd Floor
Fresno, CA 93721

SUBJECT: REVIEW OF THE TRAFFIC IMPACT ANALYSIS (TIA) DATED APRIL 13, 2018 FOR THE PROPOSED RESIDENTIAL DEVELOPMENT, TRACT 6214, LOCATED ON THE SOUTHEAST QUADRANT OF CLINTON AVENUE AND FOWLER AVENUE
TIS 18-013, PZ18-40000004, TT 6214, A-18-004, R-18-005, ANX-18-003

PROJECT OVERVIEW

Traffic Operations and Planning staff has reviewed the Traffic Impact Analysis (TIA) prepared by JLB Traffic Engineering, Inc. for the proposed residential development, "project", which plans to develop 210 single family dwelling units on the southeast quadrant of Clinton Avenue and Fowler Avenue. The project is proposing to subdivide approximately 65.98 acres to include 45.86 acres of single family residential uses and a remainder parcel of 20.12 acres. Of the 45.86 acres, 21.25 acres are currently designated for Medium Density Residential. The remaining 13.52 and 11.09 acres are currently designated for Elementary School and Urban Neighborhood Residential, respectively. The project proposes to amend the General Plan to allow 20.12 acres of Elementary School and 45.86 acres of Medium Density Residential uses on the 65.98 acres site. The site is currently vacant.

The TIA evaluated the impacts of the project by analyzing seven (7) intersections and six (6) roadway segments in the vicinity of the project during the AM and PM peak hours. Vehicle trips projected to be generated by the project were calculated using the ITE Trip Generation Manual, 10th Edition. The following table includes the daily (ADT), AM and PM peak hour trips projected to be generated by the current General Plan use and proposed project as shown in the TIA. Please note, the Elementary School is not being proposed as part of Tract 6214 but is included to amend the General Plan. A separate TIA will need to be prepared for the Elementary School.

Land Use	Size	ADT	Weekday					
			AM			PM		
			Peak Hour			Peak Hour		
			In	Out	Total	In	Out	Total
Proposed Project								
Single Family Residential (ITE Code 210)	210DU	1,982	39	116	155	131	77	208
Proposed Remainder								

Elementary School	750 students	1,418	272	231	503	61	67	128
Existing General Plan Designations								
Single Family Residential – 21.25 acres (ITE Code 210)	127 DU	1,199	24	70	94	79	47	129
Single Family Residential – 20.12 acres (ITE Code 210)	120 DU	1,133	22	67	89	75	44	119
Apartments – 11.09 acres (ITE Code 220)	177 DU	1,296	19	62	81	62	37	99
Elementary School – 13.52 acres (ITE Code 520)	750 students	951	182	155	337	41	45	86
		4,579	247	354	601	257	173	430
Difference		- 1,179	64	-7	57	-65	-29	-94

DU = dwelling units

Based on the analyses included in the TIA, the intersection Olive Avenue and Fowler Avenue is currently operating at level of service (LOS) F in both the AM and PM peak hours, which is below the TIZ III standard of LOS D. The intersection of Olive Avenue and Fowler Avenue is project to continue to operate at LOS F in both the AM and PM peak hours with the addition of the project. The intersections of Clinton Avenue at Armstrong Avenue and Olive Avenue at Fowler Avenue are projected to satisfy the Traffic Signal Warrant 3 – Peak Hour during the AM peak hour and the AM and PM peak hours, respectively. These intersections are expected to continue to satisfy the warrant with the addition of the project. The remaining study intersections and roadway segments are currently operating above the TIZ III LOS standard and will continue to operate above the standard with the addition of the project.

The analysis included in the TIA show the following locations, by scenario and time period, are projected to operate below the City of Fresno TIZ III LOS D standard and/or satisfy the Traffic Signal Warrant 3 – Peak Hour:

- Near Term Plus Project
 - Clinton Avenue at Armstrong Avenue
 - LOS F - AM peak hour
 - Peak Hour Warrant – AM and PM peak hours
 - Kerry Avenue at Fowler Avenue
 - LOS F – AM peak hour
 - Olive Avenue at Fowler Avenue
 - LOS F – AM and PM peak hours
 - Peak Hour Warrant – AM and PM peak hours
 - Fowler Avenue – Clinton Avenue to McKinley Avenue
 - LOS E
- Cumulative Year 2035 No Project
 - Clinton Avenue at Armstrong Avenue
 - LOS F - AM and PM peak hours
 - Peak Hour Warrant – AM and PM peak hours

- Clinton Avenue at Temperance Avenue
 - LOS F – AM and PM peak hours
- McKinley Avenue at Fowler Avenue
 - LOS F – AM and PM peak hours
 - Peak Hour Warrant – AM and PM peak hours
- Floradora Avenue at Fowler Avenue
 - LOS F – AM and PM peak hours
- Olive Avenue at Fowler Avenue
 - LOS F – AM and PM peak hours
 - Peak Hour Warrant – AM and PM peak hours
- Fowler Avenue – Clinton Avenue to McKinley Avenue
 - LOS E
- Cumulative Year 2035 Plus Project
 - Clinton Avenue at Armstrong Avenue
 - LOS F - AM and PM peak hours
 - Peak Hour Warrant – AM and PM peak hours
 - Clinton Avenue at Temperance Avenue
 - LOS F – AM and PM peak hours
 - McKinley Avenue at Fowler Avenue
 - LOS F – AM and PM peak hours
 - Peak Hour Warrant – AM and PM peak hours
 - Floradora Avenue at Fowler Avenue
 - LOS F – AM and PM peak hours
 - Olive Avenue at Fowler Avenue
 - LOS F – AM and PM peak hours
 - Peak Hour Warrant – AM and PM peak hours
 - Fowler Avenue – Clinton Avenue to McKinley Avenue
 - LOS E

GENERAL COMMENTS and CONDITIONS

1. This project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee per the Master Fee Schedule at the time of building permit. Based on the project information analyzed in the TIA, the TSMI fee would be calculated using the following unit rates:

Single Family Residential - \$475/dwelling unit

The TSMI fee facilitates project impact mitigation to the City of Fresno Traffic Signal infrastructure so that costs are applied to each new project/building based on the generated ADT. The TSMI fee is credited against traffic signal installation/modifications and/or Intelligent Transportation System (ITS) improvements (constructed at their ultimate location) that plan to build out the 2035 General Plan circulation element and are included in the Nexus Study for the TSMI fee. The TSMI fee is regularly updated as new traffic signals are added, new grant funds offset developer improvement costs, and/or construction costs increase/decrease. If the project is conditioned with traffic signal improvements in excess of their TSMI fee amount, the applicant may apply for fee credits (security/bonding and/or developer agreement required) and/or reimbursement for work in excess of their fee as long as the infrastructure is in place at the ultimate location. The applicant should work with the Public Works Department and identify, with a Professional

Engineers estimate, the costs associated with the improvements prior to paying the TSMI fee to determine any applicable fee credits and/or reimbursements.

For project specific impacts that are not consistent with the 2035 General Plan, Public Works Standards, and/or are not incorporated into the TSMI fees, the infrastructure costs will not be eligible for reimbursement unless the City Engineer and City Traffic Engineer include the new traffic signal and/or ITS infrastructure in the next TSMI fee update and the applicant agrees to pay the new TSMI fee that includes the new infrastructure. Failure to pay this fee or construct improvements that are credited/reimbursable with this fee will result in a significant unmitigated impact as this fee is applied to all projects within the City Sphere of Influence.

2. This project shall pay its Fresno Major Street Impact (FMSI) Fee, which will be determined at time of building permit. This FMSI fee is creditable towards major street roadway improvements included in the nexus study for the FMSI fee.
3. The project shall pay the Regional Transportation Mitigation Fee (RTMF). Pay the RTMF fee to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148, ext. 200; www.fresnocog.org. Provide proof of payment or exemption, based on vesting rights, prior to issuance of building permits.
4. The intersection of Kerry Avenue at Fowler Avenue shall be constructed as a full access with stop control on Kerry Avenue.
5. The proposed project shall pay the \$288 Traffic Impact Study review fee for review of the document. Proof of payment shall be provided to the Traffic & Engineering Services Division.
6. The proposed project shall make necessary improvements and right-of-way and public easement dedications along adjacent public street(s) and within the site boundaries per City of Fresno standards/requirements.
7. The proposed site plan shall be reviewed and approved by the City of Fresno Traffic & Engineering Services Division, Traffic Planning Section.

If you have any further questions regarding this matter, please contact me at (559) 621-8792 or jill.gormley@fresno.gov.

Sincerely,



Jill Gormley, TE
City Traffic Engineer / Traffic Operations & Planning Manager
Public Works Department, Traffic Operations & Planning Services

C: Copy filed with Traffic Impact Study
Louise Gilio, Traffic Planning Supervisor
Andrew Benelli, Assistant Director

Task Details DPU Planning and Engineering

Current Status

Reviewed with Conditions	Status Date 07/09/2018	Action By Kevin Gray	Action by Department DPU_DPW
	Assigned to Department DPU_DPW	Assigned to Kevin Gray	

Comments

Sewer Requirements

The nearest sanitary sewer main to serve the proposed project is a 12-inch sewer main located in East Clinton Avenue and 39-inch sewer in trunk located in Fowler Avenue. Sanitary sewer facilities are available to provide service to the site subject to the following requirements:

1. Construct a 10-inch sanitary sewer main (including sewer house branches to adjacent properties) in North Armstrong Avenue from the existing 12-inch sewer main located at the intersection of East Clinton and North Armstrong to the intersection of East McKinley and North Armstrong.
2. Construct a 10-inch sanitary sewer main (including sewer house branches to adjacent properties) in East McKinley Avenue from the existing 39-inch sewer trunk located at the intersection of East McKinley and North Fowler to the intersection of East McKinley and North Armstrong.
3. Street easements and/or deeds shall be recorded prior to approval of improvement plans.
4. All underground utilities shall be installed prior to permanent street paving.
5. A Preliminary sewer design layout shall be prepared by the Developer's Engineer and submitted to the Department of Public Utilities for review and conceptual approvals prior to submi
6. Engineered improvement plans prepared by a Registered Civil Engineer shall be submitted for Department of Public Utilities review and approvals for proposed additions to the City Sewer System.
7. All public sanitary sewer facilities shall be constructed in accordance with City Standards, specifications, and policies.

8. Installation of sewer house branch(s) shall be required.
9. Separate sewer house branches are required for each lot.
10. Sanitary sewer connection to the existing Rehabbed 36-inch Trunk shall be required to be constructed by machine coring and epoxy coating the area of the 36-inch Trunk.
11. All sewer main easements shall be clear and unobstructed by buildings or other structures. No fencing or wall shall either enclose or be located above the sewer main. The planting plan, for any proposed landscape within the easement, shall be approved by the Department of Public Utilities. No Trees shall be located within 8 feet of the sewer main.
12. Street work permit is required for any work in the Right-of-Way.
13. On-site sanitary sewer facilities shall be private.
14. A cross access agreement is required for sewer service(s) crossing parcels
15. Abandon any existing on-site private septic systems.
16. The Project Developer shall contact Wastewater Management Division/Environmental Services at (559) 621-5100 prior to pulling building permits regarding conditions of service for special users.

Sanitary Sewer Fees

The following Sewer Connection Charges are due and shall be paid for the Project:

1. Sewer Lateral Charge.
2. Sewer Oversize Area.
3. Wastewater Facilities Charge (Residential Only)
4. Trunk Sewer Charge: Fowler

Task Details DPU Water Division

Current Status

Review
Complete

Status Date

07/30/2018

Action By

Robert
Diaz

Action by Department

DPU_DPW

Assigned to Department

DPU_DPW

Assigned to

Robert
Diaz

Comments

Construct a 16-inch water main (including city fire hydrants) in North Fowler Avenue from East Clinton Avenue south to East Olive Avenue.

Construct a 16-inch water main (including City fire hydrants) in East McKinley Avenue across the project frontage.

Water mains (including installation of City fire hydrants) shall be extended within the proposed tract to provide service to each lot.

Separate water services with meter boxes shall be provided to each lot.

Two independent sources of water, meeting Federal and State Drinking Water Act Standards, are required to serve the tract including any subsequent phases thereof. The two-source requirement may be accomplished through any combination of water main extensions, construction of supply wells, or other acceptable sources of water supply approved by the Assistant Public Utilities Director.

Destruct any existing on-site well in compliance with the State of California Well Standards, Bulletin 74-81 and 74-90 or current revisions issued by California Department of Water Resources and City of Fresno standards.

Engineered improvement plans prepared by a Registered Civil Engineer are required for proposed additions to the City Water System.

All Public water facilities shall be constructed in accordance with The Department of Public Works standards, specifications, and policies.

The water supply requirements for this project are as follows:

1. The project applicant shall be required to pay Water Capacity Fee charges for the installation of new water services and meters to serve the property.

- a. The Water Capacity Fee charge assessed to the applicant shall be based on the number and size of service connections and water meters required to

serve the property.

b. The Water Capacity Fee charges by meter size are defined in the City's Master Fee Schedule.

c. The City reserves the right to require an applicant to increase or decrease the size of a water meter for a project or a property to ensure that the meter is properly sized to accommodate fire protection requirements, and to allow for accurate volumetric flow measurements at low- and high-flow conditions.

d. The Water Capacity Fee Charge for any new or expanded service connection shall be payable prior to the issuance of a building permit at the fee level in effect on the date such permit is issued.

2. The project applicant shall be required to pay all other water-related fees and charges in accordance with the City's Master Fee Schedule and Municipal Code

Task Details DPU Solid Waste Management

Current Status

Reviewed with Conditions	Status Date 07/09/2018	Action By Kevin Gray	Action by Department DPU_DPW
--------------------------	---------------------------	-------------------------	---------------------------------

Assigned to Department DPU_DPW	Assigned to Kevin Gray
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Comments

General Requirements:

Vesting Tentative Tract Map No. 6214 will be serviced as Single Family Residential properties with Basic Container Service. Property owners will receive 3 containers to be used as follows: 1 Gray container for solid waste, 1 Green container for green waste and 1 Blue container for recyclable material.

Task Details Fire Review

Current Status	Status Date	Action By	Action by Department
Reviewed with Conditions	07/27/2018	Byron Beagles	Fire Department

Assigned to Department
Fire Department

Assigned to

Comments

This is a proposed 210 lot conventional public street sub-division with 36' wide public streets. Fire Department comments are as follows:

- 1, The tract is within 3.0 miles of the current temporary location of permanent Fire Station 10 located at 5545 Aircorp Way (just west of Clovis and Clinton Aves.).
2. Provide public water mains and fire hydrants per Public Utilities requirements and Public Works Standards with a minimum fire flow of 1500 gpm at 20 psi residual pressure, fire hydrants spaced at a maximum of 600 feet apart, and multiple points of connection to transmission grid mains.
3. Internal street design is acceptable.
4. Two points of emergency access must be maintained during all phases of construction.
5. Fire hydrants must be in service and internal roads either paved or provided with an interim all-weather surface prior to delivery of combustible material on site and maintained during all phases of construction.

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS**

File No. 210.45

Page 1 of 6

PUBLIC AGENCY

WILL TACKETT
DEVELOPMENT SERVICES/PLANNING
CITY OF FRESNO
2600 FRESNO STREET, ROOM 3043
FRESNO, CA 93721-3604

DEVELOPER

WOODSIDE HOMES OF CENTRAL VALLEY
9 RIVER PARK PLACE EAST, SUITE 430
FRESNO, CA 93720

PROJECT NO: **6214**

ADDRESS: **SEC CLINTON AND FOWLER AVE.**

APN: **310-041-16, 18, 17, 310-041-19**

SENT: **7/27/18**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
BS	\$390,883.00	NOR Review	\$1,993.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$5,562.00	Amount to be submitted with first grading plan submittal.
		Storm Drain Plan Review	For amount of fee, refer to www.fresnofloodcontrol.org for form to fill out and submit with first storm drain plan submittal (blank copy attached).	
Total Drainage Fee: \$390,883.00		Total Service Charge:	\$7,555.00	

The proposed development will generate storm runoff which produces potentially significant environmental impacts and which must be properly discharged and mitigated pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The District in cooperation with the City and County has developed and adopted the Storm Drainage and Flood Control Master Plan. Compliance with and implementation of this Master Plan by this development project will satisfy the drainage related CEQA/NEPA impact of the project mitigation requirements.

Pursuant to the District's Development Review Fee Policy, the subject project shall pay review fees for issuance of this Notice of Requirements (NOR) and any plan submittals requiring the District's reviews. The NOR fee shall be paid to the District by Developer before the Notice of Requirement will be submitted to the City. The Grading Plan fee shall be paid upon first submittal. The Storm Drain Plan fee shall be paid prior to return/pick up of first submittal.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/19 based on the site plan submitted to the District on 6/20/18 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

Considerations which may affect the fee obligation(s) or the timing or form of fee payment:

- a.) Fees related to undeveloped or phased portions of the project may be deferrable.
- b.) Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.
- c.) Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Master Plan facilities exceeds the drainage fee obligation, reimbursement will be made for the excess costs from future fees collected by the District from other development.
- f.) Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

**FR
TRACT
No. 6214**

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS**

Page 2 of 6

Approval of this development shall be conditioned upon compliance with these District Requirements.

1.
 - ☐ a. Drainage from the site shall
 - ☒ b. Grading and drainage patterns shall be as identified on Exhibit No. 1
 - ☐ c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.

2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
 - ☒ Developer shall construct facilities as shown on Exhibit No. 1 as MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER.
 - ☐ None required.

3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:
 - ☒ Grading Plan
 - ☒ Street Plan
 - ☒ Storm Drain Plan
 - ☒ Water & Sewer Plan
 - ☒ Final Map
 - ☒ Drainage Report (to be submitted with tentative map)
 - ☐ Other
 - ☐ None Required

4. Availability of drainage facilities:
 - ☐ a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).
 - ☐ b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.
 - ☐ c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available.
 - ☒ d. See Exhibit No. 2.

5. The proposed development:
 - ☒ Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
 - ☐ Does not appear to be located within a flood prone area.

6. ☐ The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

FR TRACT No. 6214

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS**


Page 3 of 6

**FR
TRACT
No. 6214**

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
 - b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 2014 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
 - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10. X See Exhibit No. 2 for additional comments, recommendations and requirements.



Peter Sanchez
District Engineer



Gary W. Chapman
Project Engineer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 6

CC:

JOHN & LUCRETIA EMMETT

6338 N. ACADEMY AVE.

CLOVIS, CA 93619

LANDDESIGN CONSULTING

3034 TUYA LANE

CLOVIS, CA 93619

FR TRACT No. 6214

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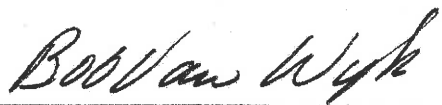
Storm Drain Facilities
Cost Sheet

15" Concrete Pipes	\$72.00 LF
18" Concrete Pipes	\$76.00 LF
24" Concrete Pipes	\$85.00 LF
30" Concrete Pipes	\$101.00 LF
36" Concrete Pipes	\$120.00 LF
42" Concrete Pipes	\$139.00 LF
48" Concrete Pipes	\$163.00 LF
54" Concrete Pipes	\$198.00 LF
60" Concrete Pipes	\$233.00 LF
66" Concrete Pipes	\$275.00 LF
72" Concrete Pipes	\$317.00 LF
84" Concrete Pipes	\$354.00 LF
96" Concrete Pipes	\$384.00 LF
15" Jacked Pipes	\$555.00 LF
18" Jacked Pipes	\$608.00 LF
24" Jacked Pipes	\$687.00 LF
30" Jacked Pipes	\$766.00 LF
36" Jacked Pipes	\$846.00 LF
42" Jacked Pipes	\$898.00 LF
48" Jacked Pipes	\$951.00 LF
54" Jacked Pipes	\$1,031.00 LF
60" Jacked Pipes	\$1,110.00 LF
66" Jacked Pipes	\$1,216.00 LF
72" Jacked Pipes	\$1,374.00 LF
84" Jacked Pipes	\$1,533.00 LF
Manholes	\$4,000.00 EA
Inlets & Laterals	\$4,450.00 EA
Outfalls	\$11,000.00 EA
Canal Outfalls	\$15,000.00 EA
Basin Excavation	\$0.75 CY
 IMPROVEMENTS ADJACENT TO BASIN	
Fence, Pad, and Gate	\$20.00 LF
Mowstrip	\$18.00 LF
Arterial Paving	\$74.00 LF
Local Paving	\$48.00 LF
Curb and Gutter	\$25.00 LF
Sidewalk	\$50.00 LF
Sewer Line	\$21.00 LF
Water Line	\$24.00 LF
Street Lights	\$65.00 LF
Pump Station/Intake	\$400,000.00 EA

FR TRACT No. 6214

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS**

Page 6 of 6

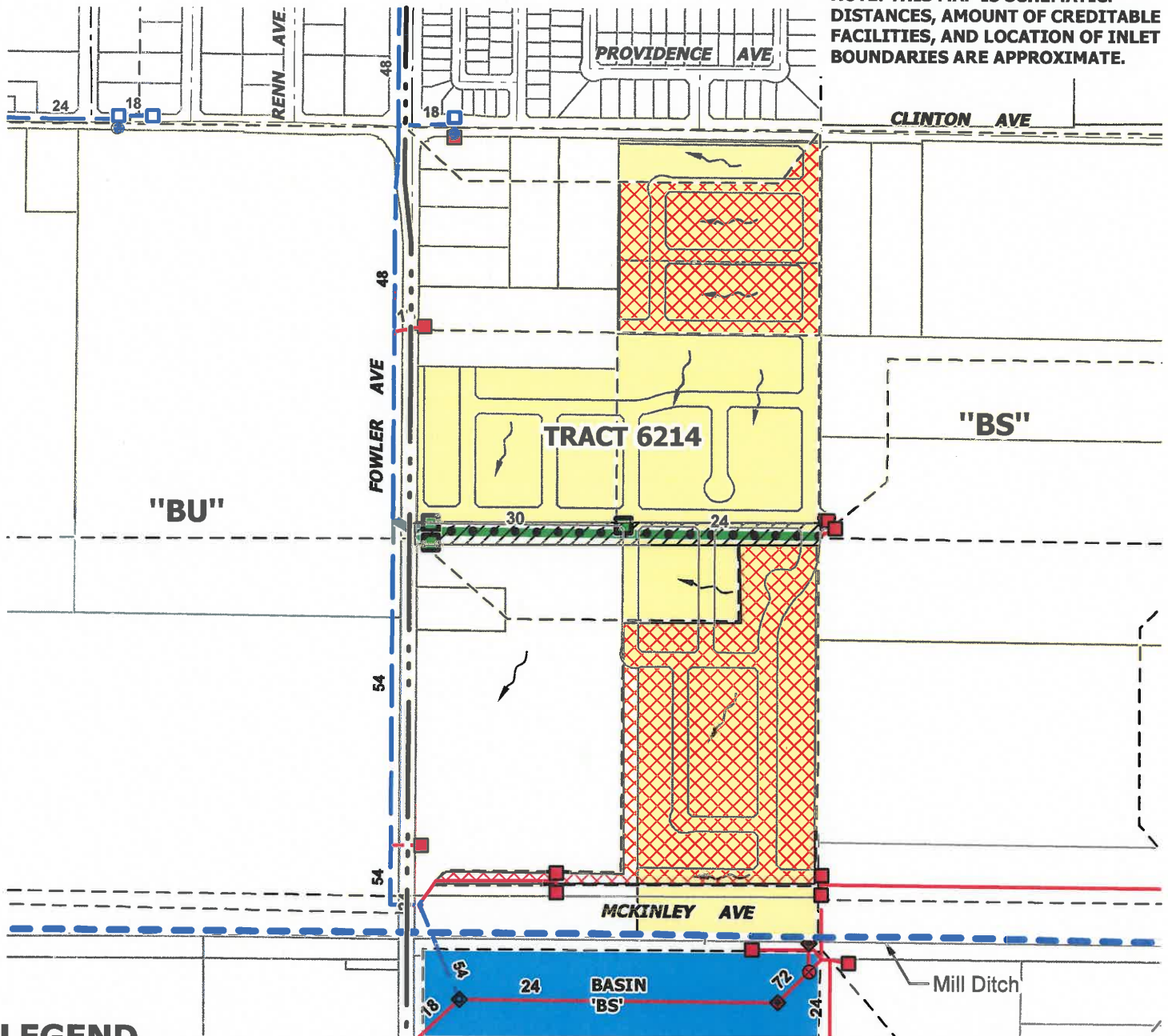
<h1>POLICY MANUAL</h1>	Date Adopted: September 11, 1981
Classification: FLOOD PLAIN MANAGEMENT	Date Last Amended: August 10, 2005
	Subject: Flood Plain Policy
	Approved By: 

Because of the relatively high velocities and volumes of flood flow associated with primary flood plains, and because the primary flood plain is responsible for passing the greatest percentage of the flood event, development located in such flood plains is subject to substantial risk, both to itself and to others as a result of the potential for blockage and diversion of flood waters. In view of these factors:









Policy:

- (1) All proposed development activity shall reference the Flood Insurance Rate Map to determine if it is located in a 100-year flood plain (special flood hazard areas inundated by a 100-year flood) "Primary Flood Plain". Any project not located within a FIRM or located in any area where the FIRM is determined to be inaccurate shall be the subject of a detailed hydrological flood hazard investigation to determine the relationship of the proposed development to the primary flood plain; and, further, to identify the calculated water surface elevation of the 100-year flood event.
- (2) The development must be properly flood proofed below the calculated water surface elevation of the 100-year flood event.
- (3) All development and/or permanent improvement activity which, if located within the primary floodway, may unduly impede, retard or change the direction of flow of water either, by itself, or by the catching or collecting of other debris or is placed where the flow of water would carry such obstruction downstream to the damage or detriment of either life or property, should not be permitted.
- (4) The development shall not cause displacement of any and all floodwaters from that portion of the flood plain to be developed.

NOTE: THIS MAP IS SCHEMATIC.
DISTANCES, AMOUNT OF CREDITABLE
FACILITIES, AND LOCATION OF INLET
BOUNDARIES ARE APPROXIMATE.



LEGEND

-  Creditable Facilities (Master Plan Facilities To Be Constructed By Developer) - Pipeline (Size Shown) & Inlet
-  Future Master Plan Facilities
-  Existing Master Plan Facilities
-  Areas Where Permanent Drainage Service Will Not Be Available
-  Inlet Boundary
-  Drainage Area Boundary
-  Direction Of Drainage
-  Existing 15' Wide Storm Drain Easement



1" = 500'

TRACT 6214
DRAINAGE AREA "BS"

EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: danielg

Date: 7/23/2018

Path: K:\Autocad\DWGS\0EXHIBIT\TRACTS\6214.mxd



OTHER REQUIREMENTS
EXHIBIT NO. 2

The cost of construction of Master Plan facilities, excluding dedication of storm drainage easements, is eligible for credit against the drainage fee of the drainage area served by the facilities. A Development Agreement shall be executed with the District to effect such credit. Reimbursement provisions, in accordance with the Drainage Fee Ordinance, will be included to the extent that developer's Master Plan costs for an individual drainage area exceed the fee of said area. Should the facilities cost for such individual area total less than the fee of said area, the difference shall be paid upon demand to the City/County or District.

Drainage from the site shall be directed as shown on Exhibit No. 1. In areas where permanent drainage service will not be available, the District recommends temporary facilities until permanent service is available.

There is an existing fifteen-foot (15') wide storm drain easement that bisects the proposed tract as shown on Exhibit No. 1. This easement may be quitclaimed with acceptance of the street location as shown on the provided tentative map layout.

Lot coverage must be provided to the District prior to submittal of improvement plans. The final drainage fee will be calculated commensurate with the lot coverage provided by the developer. If the lot coverage indicates a density higher than Master Planned, mitigation may be required. The lot coverage calculated by the District includes the front yard walkway, sidewalk walkway and the rear yard patio equaling an additional 6% of impervious area in addition to the City's typical lot coverage calculation.

The Master Plan system has been designed such that during a two-year event flow will not exceed the height of the 6-inch curb. Should wedge curb (4.5 inches height) be used the same criteria shall apply whereby flow remains below the top of curb. Any extensions or pipe size increases due to meeting the requirement listed above shall be at the developer's expense.

Development No. Tract 6214

Task Details Fresno County Environmental Health

Current Status

Reviewed with Conditions	Status Date 06/29/2018	Action By Public Health	Action by Department Health Department
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Assigned to Department Health Department	Assigned to Public Health
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Comments

Recommended Conditions of Approval:

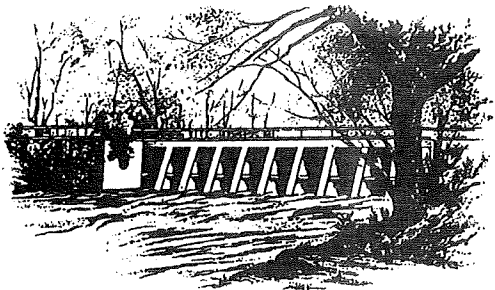
- Construction permits for the development should be subject to assurance that the City of Fresno community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Water Resources Control Board, Division of Drinking Water-Southern Branch. For more information call (559) 447-3300.
- Construction permits for development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- The proposed future construction project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.
- As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.

Prior to destruction of agricultural wells, a sample of the upper most fluid in the water well column should be sampled for lubricating oil. The presence of oil staining around the water well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.

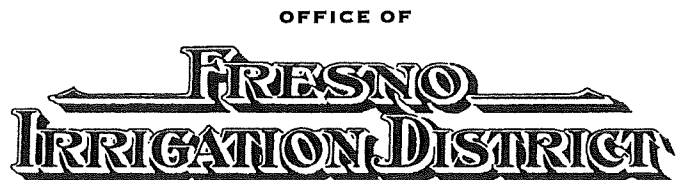
- Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.

The following comments pertain to the demolition of existing structures:

- Should the structures have an active rodent or insect infestation, the infestation should be abated prior to demolition of the structures in order to prevent the spread of vectors to adjacent properties.
- In the process of demolishing the existing structures, the contractor may encounter asbestos containing construction materials and materials coated with lead based paints.
- If asbestos containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000 for more information.
- If the structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition work the contractor should contact the following agencies for current regulations and requirements:
 - California Department of Public Health, Childhood Lead Poisoning Prevention Branch, at (510) 620-5600.
 - United States Environmental Protection Agency, Region 9, at (415) 947-8000.
 - State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) at (559) 454-5302.
- Any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state, and local requirements.



YOUR MOST VALUABLE RESOURCE - WATER



TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2208

July 3, 2018

Mr. Will Tackett
Development and Resource Management
City of Fresno
2600 Fresno Street, Third Floor
Fresno, CA 93721

RE: Tentative Tract Map 6214, Annexation A-18-003, 004, Rezone R-18-005
Planning Application No. PZ18-40000004, PZ18-30000005, & PZ18-20000004
S/E Clinton and Fowler avenues
FID's Gow No. 99 Canal and Mill No. 36 Canal

Dear Mr. Tackett:

The Fresno Irrigation District (FID) has reviewed the Tentative Tract Map 6214, Annexation A-18-003, and Rezone R-18-005 for which the applicant proposes the construct a 210-lot subdivision, rezone the property and annex it into the City of Fresno, APNs: 310-041-16, 17, 18, 19. FID has the following comments and conditions:

Area of Concern 1

1. FID's Gow Canal No. 99 runs southerly along the east side of the subject property as shown on the attached FID exhibit map. Records do not show a recorded easement, however, FID does own an easement and the width is as shown on FID's Standard Detail Page No. 10. The reach of canal affected by the development consists of a small, earthen, open channel canal.
2. FID requires the applicant pipe the open channel (Area of Concern 1) as part of this project with new 24-inch diameter ASTM C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP) in accordance with FID standards and that the applicant enter into an agreement with FID for that purpose. FID requires a minimum 20-foot wide exclusive easement and the applicant will need to meet with FID to determine the pipeline alignment. Tail pipe and discharge structure into the Mill Canal will be required to be replaced, including canal lining for that section for erosion control and disturbance of existing bank.

3. FID does not allow FID owned property, pipelines, and/or easements to be in backyards, in common use with public utility and/or utility easements, and road right-of-ways, but will in certain instances allow for its property to be in common use with landscape easements if the City of Fresno enters into the appropriate agreement.
4. In recent years, the most significant issue with pipelines has been caused by tree root intrusion into pipe joints. The roots enter through the rubber gasketed joint, thus creating a non-water tight joint causing leaks. If the roots continue to grow, the roots will eventually clog the pipe and reduce the flow capacity of the pipeline. This problem causes disruption to FID's customers and increases the risk of flooding in upstream open channel sections. Subsequent pipeline repairs can be very disruptive to public infrastructure, as well as to FID's operations. The leaking pipelines and pipeline repairs also increase the liability of all parties involved. FID requires external wrap be installed at all pipeline joints within the subject property or any areas where root intrusion may be a future concern based on the proposed improvement at the time of review. This method involves using mastic material that can be externally applied to pipe joints to provide a permanent seal against root intrusion. The product that has been approved is known as MacWrap from Mar Mac. FID is open to other products, but they would need to be reviewed and approved by FID.
5. Trail - It is FID's understanding that a trail is master-planned along the Gow Canal. As with other developments with trails proposed along the canals, FID will not allow the trail to encroach/overlap FID's canal easement along open channels. If, however, the open channel is replaced with a pipeline, FID may reduce its requirements to the following:
 - a. FID does not allow FID owned property or easements to be in common use with Public Utility Easements but will, in certain instances, allow its property to be in common use with landscape easements if the City of Fresno enters into an appropriate agreement with FID. FID requires all block walls and fences to be located outside of its property and easements.
 - b. FID requires all trail improvements be placed outside of FID-owned properties and easements unless specified under a common use agreement.
 - c. FID will not allow any portion of a tree canopy to encroach within its properties or easements.

- d. FID's canals will not accept any drainage from the trail.

Area of Concern 2

1. FID's Mill Canal No. 36 traverses along the south portion of the subject property to be developed in part within an exclusive 50 feet wide easement recorded on September 29, 1995 as Doc. No. 95124780 O.R.F.C., as shown on the attached FID exhibit map, and will be impacted by the future development.
2. FID requires that, within the limits of the proposed project [and its remainder], the landowner grant an exclusive easement for any additional land underlying the canal and associated area along the canal required for maintenance pursuant to Water Code Section 22425 and FID policy. FID's District Canal Right-of-Way Requirements sheet is enclosed for your reference. The proposed easement (width) will depend on several factors including: 1) Width of canal, 2) height of canal banks, 3) final alignment of canal, 4) additional space needed where roads/avenues intersect canal, etc.
3. FID requires that the Engineer/Land Surveyor use the inside top hinge of the canal to define the edge of FID's full width right-of-way such that FID has 20-feet at all points along the canal bank. There are no minimum or suggested numbers of survey shots to take but, there must be enough survey points such that the top inside hinge of the canal bank is properly identified. Before finalizing the Final Maps, the Engineer/Land Surveyor will need to stake both the inside top hinge and the right-of-way/property for FID Staff to field evaluate an adequate width. FID staff must field verify the right-of-way/property boundary and the hinge line edge before signing plans to ensure that there are enough survey points to properly define the canal.
4. Typically, for any type of development that impacts a large open canal or is adjacent to one such as the Mill Canal, FID requires the developer to improve the canal with either concrete lining, encasing the canal in a box culvert, or other approved means to protect the canal's integrity for an urban setting. FID does not have sufficient information to determine what kind of improvements will ultimately be required as part of the development. The engineers working on the project and FID's engineering staff must meet to discuss specific requirements as discussed below. In order to meet the "urban" standards for the canal, FID will require the following minimum conditions:
 - a. Channel Stabilization: The proposed plan does not indicate any improvements to the Canal. If the Developer is not willing to concrete line the Canal or place it underground within a box culvert, they must come up with another means acceptable to and approved by FID to protect the Canal's integrity. On similar projects, Developers typically propose the following:

- i. Surrounding Development – All proposed building pad elevations must be a minimum of 12-inches above the canal's high water.
 - ii. Freeboard – FID typically requires between 1.0 to 1.5 feet of freeboard. Because the Canal is used to route stormwaters, and is one of the larger canals used to convey the stormwater, FID will require a minimum of 1.5 feet of freeboard and a maximum of 2.0 feet. The Developer will be required to either import or export material to match FID's standards.
 - iii. Maintenance – this reach of Canal does have a history of high loads of sediment deposits which requires periodic dredging. FID will typically dredge the Canal and deposit the spoils on top of the banks to dry out. Once the spoil has dried, FID will flatten the spoil as time permits. This reach of Canal also has large volumes of trash, debris, shopping carts that are deposited into the Canal. FID's crews will typically remove the trash at the Fowler Avenue bridge and another crew will come by to remove the trash. The hauling off of this material may occur several weeks after the trash has been placed on the side of the canal, and the trash may be considered a nuisance (sight and smell). If the Developer and/or City require a different level of maintenance effort, they will need to enter into an agreement for that purpose. The City and/or Developer will be responsible to fund the "higher level" of maintenance.
- b. Drive banks/maintenance roads (both banks):
- i. One or both of the drive banks, as applicable, must be full-width across the FID canal bank and right-of-way and must be sloped a minimum of 2% away from the canal with provisions made for rainfall. Drainage will not be accepted into the Canal and must be routed away from FID property/drive banks. Runoff must be conveyed to nearby public streets or drainage system by drainage swales or other FID acceptable alternatives. All drainage swales to be outside of FID right-of-way.
 - ii. One or both of the drive banks shall be overlaid with 3 inches of Class II aggregate base for all-weather access and for dust suppression.

- iii. All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's property/easement.
5. Canal Access – FID will continue to access the canal from Fowler Avenue. In order to access the maintenance road with our larger equipment, FID requires a drive approach wide enough to accommodate the equipment. FID proposes a 50-foot wide drive approach narrowing to a full width 20 feet wide drive bank (See attached "Drive Approach in Urban Areas" Detail No. 62). The 50-foot width is defined as starting from the end portion of the bridge/railing outward (away from the bridge). Every road and canal intersection is different and therefore each access will be different. The major factors affecting the proposed width will be the angle of the road intersecting the Canal, grade of canal bank vs. City road, median vs. no median, etc.
6. Trail - It is FID's understanding that a trail is master-planned along the Mill canal bank. As with other developments with trails proposed along the canals, FID will not allow the trail to encroach/overlap FID's canal easement. The following requirements are intended for trail projects adjacent to FID-owned properties and right-of-ways for open canals:
- a. FID will not allow the trail easement to be in common use with FID-owned property or easements.
 - b. FID requires all trail improvements be placed outside of FID-owned properties and easements.
 - c. FID will not allow any portion of a tree canopy to encroach within its properties or easements.
 - d. FID's canals will not accept any drainage from the trail or the canal bank.
 - e. FID may require some improvements be made to the canal depending on the existing canal condition, the proposed trail, and the adjacent development.
 - f. FID requires a fence to be constructed between any open canal and trail and/or park.
7. If a fence will be installed between the development and open canal, a block/masonry wall shall be required. Chain-link and wood fencing will no longer be accepted for urban developments.

General Comments

1. For informational purposes, FID's active Temperance No. 37 Pipeline runs northerly along the west side of Fowler Avenue and spills into FID's Mill Canal as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Fowler Avenue or in the vicinity of this pipeline, FID requires it review and approve all plans.
2. The proposed development may negatively impact local groundwater supplies. The area is currently mostly open land or limited agricultural production with little to no water demand. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in a conversion from imported surface water to groundwater, this deficit will increase. FID suggests the City of Fresno require the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft.
3. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Fresno are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is completely reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Fresno should consider the impacts of the development on the City's ability to comply with requirements of SGMA.
4. It should be noted that without the use of surface water, continued dependence on solely a groundwater supply will do nothing to reverse or correct the existing overdraft of the groundwater supply beneath the City of Fresno and FID service area. As this project will "harden" or make firmer the need for water, the long-term correction of the groundwater overdraft should be considered as a requirement of the project.
5. FID requires the Developer to submit for FID's approval a grading and drainage plan which shows that the proposed development will not endanger the structural integrity of the Canal, or result in drainage patterns that could adversely affect FID.

6. FID requires its review and approval of all improvement plans which affect its property/easements and canal/pipeline facilities including but not limited to Sewer, Water, Fresno Metropolitan Flood Control District (FMFCD), Street, Landscaping, Dry Utilities, and all other utilities.
7. FID requires the Developer and or the Developer's engineer contact FID at their earliest convenience to discuss specific requirements.
8. FID requires its easements be shown on all maps with proper recording information, and that FID be made a party to signing the final map.
9. Footings of retaining walls shall not encroach onto FID property/easement areas.
10. FID requires its review and approval of all Private and Public facilities that encroach into FID's property/easement. If FID allows the encroachment, the Public or Private party will be required to enter into the appropriate agreement which will be determined by FID.
11. If a utility is required to cross the canal, FID will require an agreement for that purpose. It will either be an Encroachment Agreement or Common Use of Easements Agreement.
12. As with most developer projects, there will be considerable time and effort required of FID's staff to plan, coordinate, engineer, review plans, prepare agreements, and inspect the project. FID's cost for associated plan review will vary and will be determined at the time of the plan review.
13. The above comments are not to be construed as the only request FID will have regarding this project. FID will make additional comments and requests as necessary as the project progresses.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or clundeen@fresnoirrigation.com.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer

Attachment



STANDARD EASEMENT WIDTHS FOR OPEN CANALS AND PIPELINES

SOURCE:
Board Policy No. 155
Rev. 5/29/02

Section 22438 of the California Water Code, attached as Exhibit "A" hereto, entitles the District to a secondary easement on each side of any open canal for which the District holds a prescriptive easement, with the width of the secondary easement to be whatever is reasonably required by the District for maintenance, repair, cleaning and operations of the secondary easement and open canal with equipment owned by or available to the District for that use at the time the rights are exercised. Exhibit "B" attached hereto, sets forth the dimensions of secondary easements for Fresno Irrigation District canals which are deemed to be reasonably required and which are claimed by the District under Section 22438.

Easements for pipelines or for open canals for which the District holds a written grant or judgement providing a legal description of the easement are not subject to the secondary easement provisions of Section 22438. District activities and the locations of canal facilities are therefore restricted to the limits established by the legal description of the easement.

For the purposes of acquiring easements for pipelines by grant or condemnation, the standard easement requirements are shown on Exhibit "C", attached hereto. Extraordinary conditions or circumstances may dictate modification of the standard easement, but such modification shall be subject to approval of the Board of Directors.

**STANDARD EASEMENT WIDTHS FOR
OPEN CANALS AND PIPELINES
EXHIBIT "A"
SENATE BILL No. 891**

An act to add Section 22438 to the Water Code, relating to irrigation districts.

Approved by the Governor on July 5, 1989.

Filed with the Secretary of State July 5, 1989.

LEGISLATIVE COUNSEL'S DIGEST

SB 891, Vuich. Irrigation Districts: canal easements.

Under existing law, an irrigation district may acquire by any means any property or interest in property to carry out its purposes.

This bill would declare that whenever any irrigation district is the owner of an easement for an open canal for the transportation of water across lands not owned by it, other than as specified, the district shall have a secondary easement on each side of the open canal for the maintenance, repair, cleaning, operation, and control of the open canal, as prescribed, and would specify related matters.

The people of the State of California do enact as follows:

SECTION 1. Section 22438 is added to the Water Code, to read:

22438. (a) Whenever any district is the owner of an easement for an open canal for the transportation of water across lands not owned by it, other than an easement evidenced by a written grant or judgement providing a legal description of the easement, the district shall have a secondary easement on each side of the open canal for the maintenance, repair, cleaning, operation, and control of the open canal and such other use thereof as may be reasonably be required by the district in exercising those rights and in the maintenance, repair, cleaning, and operation of that easement and open canal with equipment owned by or available to the district for that use at the time the rights are exercised. The duration of the secondary easement shall be for so long as the district, or its successors or assigns, continues to own the open canal easement regardless of what use has or has not been made of the secondary easement.

(b) The owner of the land upon which a secondary easement is located, or any lessee of the land, shall have the right to use the surface of the land upon which the secondary easement is located for his or her own purposes to the extent that the use does not unreasonably interfere with the district's ownership or use of the secondary easement, or upon the open canal easement. Any encroachment or obstruction placed or permitted upon the secondary easement by the owner of the land or any lessee of the land, which unreasonably interferes with the secondary easement or the open canal easement, may be removed by the district at the owner's or lessee's expense, or by legal action filed by the district.

(c) This section shall not be construed to limit the right of a district or of any person to acquire any easement by prescriptive or condemnation or to enter into a written agreement concerning an easement or secondary easement upon such terms as are agreed upon the parties.

**STANDARD EASEMENT WIDTHS FOR
OPEN CANALS AND PIPELINES**

EXHIBIT "B"

(Page 1 of 3)

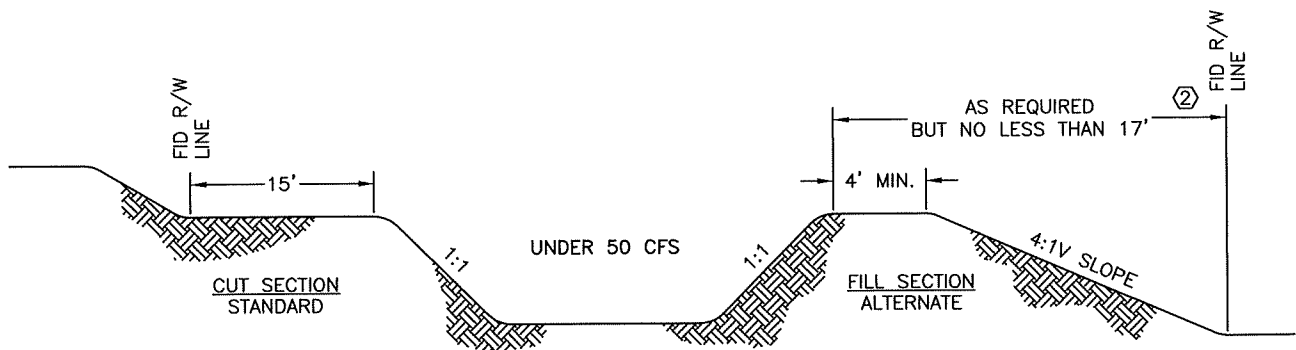
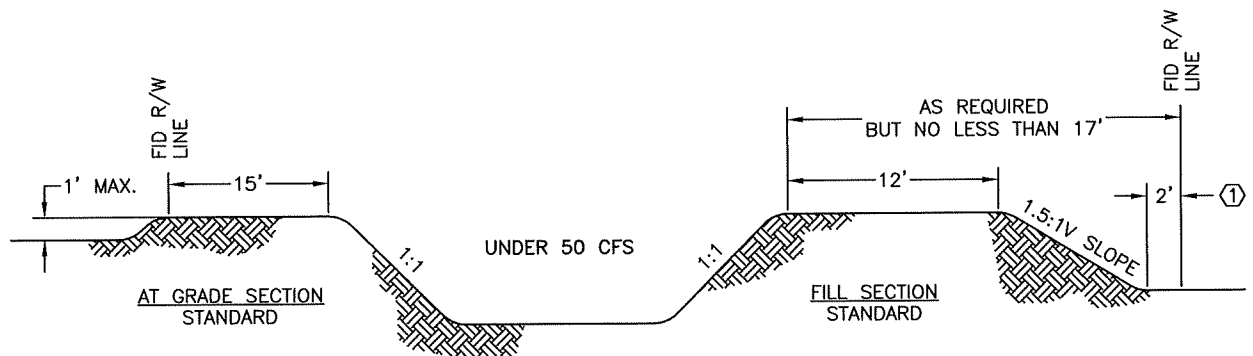
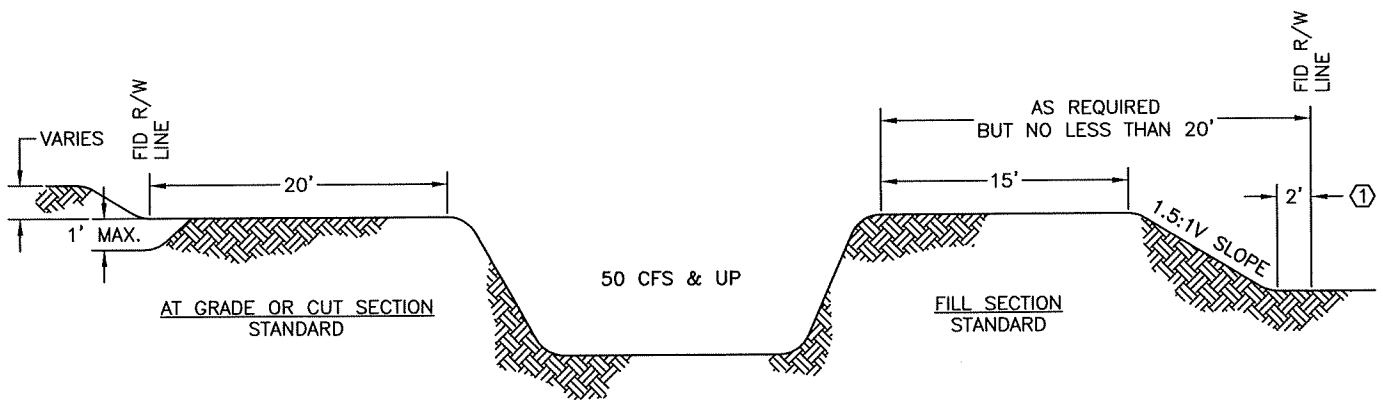
GENERAL REQUIREMENTS

The following requirements have been approved and adopted by the Board of Directors to provide a guideline for establishing adequate right-of-way widths for canals and ditches owned, operated, and maintained by the Fresno Irrigation District. Any extraordinary conditions, circumstances, misunderstandings, failure or refusal of a property owner to accept or comply with the general requirements described below should be brought to the immediate attention of the General Manager.

1. When establishing top of bank width required for operation and maintenance purposes, some existing top of bank widths may be more than required by the District, but in most cases, will be less. Therefore, the right-of-way line should be established in accordance with the requirements for future improvements, operations, and maintenance of the canal.
2. To determine the requirements for top of bank widths, canals and ditches shall be classified into two different categories. First, canals with banks which are not more than one foot (1.0') above the surrounding ground level will be classified in a "cut" category. Second, canals with banks which are more than one foot (1.0') above the adjacent ground level will be classified as "fill".
3. Required top of bank widths shall be measured on a level plane from the inside edge of the canal or ditch bank.
4. Canals with capacity of 50 CFS or more:
 - a). Canals which are in a "cut" or at grade shall require a top of bank width no less than twenty feet (20') wide.
 - b). Canals which are in a "fill" shall require a top of bank width of no less than fifteen feet (15') plus one and one-half feet (1.5') for each vertical foot outside of the bank slope plus and an additional two feet (2') to establish the right-of-way line beyond the outside toe of the canal bank. Easement width will be as required or no less than twenty feet (20') from the top inside bank to Right of Way line.
5. Canals with a capacity of less than 50 CFS:
 - a). Canals which are in a "cut" shall require a top of bank width no less than fifteen feet (15') wide.
 - b). Canals which are in a "fill" shall require a top of bank width of no less than twelve feet (12') plus one and one-half feet (1.5') for each vertical foot outside of the bank slope. Plus an additional two feet (2.0') to establish the right of way line beyond the outside toe of the canal.

**STANDARD EASEMENT WIDTH FOR
OPEN CANALS AND PIPELINES
EXHIBIT "B"**
(Page 2 of 3)

6. Canals with a capacity less than 50 CFS: (Alternate):
 - a). Canals which are in a "cut" shall require a top of bank width no less than fifteen feet (15') wide.
 - b). Canals which are in a "fill" shall require a top of bank width of no less than four feet (4') plus four feet (4.0') for each vertical foot outside of the bank slope.
 - c). On smaller sloper type ditches, it may be necessary to resort to access along and outside the ditch, but in all cases the requirements should be established to prevent encroachments on the right-of-way.
 - d). The alternate section can not be used if the overall width exceeds the standard width and is permitted only when the District operations and maintenance functions do not require a standard road right of way.



NOTES:

ALL PRIVATE FACILITIES TO BE LOCATED OUTSIDE FID RIGHT-OF-WAY.

- ① ADD 2 FEET TO EMBANKMENT WIDTH TO ESTABLISH OVERALL RIGHT-OF-WAY WIDTH TO ACCOMMODATE GRADER BLADE CLEARANCE.

- ② THE ALTERNATE SECTION CAN NOT BE USED IF THE OVERALL WIDTH EXCEEDS THE STANDARD WIDTH AND IS PERMITTED ONLY WHEN DISTRICT OPERATIONS AND MAINTENANCE FUNCTIONS DO NOT REQUIRE A STANDARD ROADWAY.

DISTRICT CANAL RIGHT-OF-WAY REQUIREMENTS

**STANDARD EASEMENT WIDTHS FOR
OPEN CANALS AND PIPELINES
EXHIBIT "C"
PIPELINE EASEMENT WIDTHS**

The following shall be used by staff in the determination and acquisition of new pipeline easement widths:

Type of Pipe	Easement Width for Dia. \leq 24" I.D.	Easement Width for 24" < Dia. \leq 36" I.D.	Easement Width for 36" I.D. < Dia.
PVC (SDR41, PIP)	20 feet	N/A	N/A
RGRCP (C-361)	20 feet	30 feet	40 feet
CIP (ACI 346)	N/A	30 feet	40 feet
Min. Width Adjacent to Right-of-Way	15	15	20

Where the pipeline easement will be contiguous and parallel to a joint use right-of-way such as a "local" public street right-of-way or a "rural" road with a right-of-way 60 feet or less, the required easement may be reduced if the street maintaining agency allows the District to perform maintenance using a portion of the road right-of-way. On any street or rural road where curbside parking will be permitted by the street maintaining agency, the easement width may be reduced.

The easement width may not be reduced for controlled access streets designated as freeways, expressways, super arterials, arterials, collectors, or landscaped drives. No easement reduction will be permitted adjacent to turn lanes or bus stops or other locations posted to prohibit stopping or parking without special provision for maintenance access. Written evidence may be required from the street maintaining agency showing that the predetermined easement width reduction can be satisfied.

Where public utility easements or landscape easements will overlap the District's pipeline easement, regardless of pipeline diameter, the required pipeline easement width shall be increased as necessary so that fifty percent (50%) of the required easement width is free from overlapping utilities. The District may waive this easement requirement for landscape easements if the District can be assured the landscaping will not impact the pipeline.

1. DIMENSIONS AND NOTES ARE FOR LAYOUT PURPOSES ONLY. A SCALED DRAWING SHALL BE PREPARED AND SUBMITTED WITH ALL PLAN SETS PRIOR TO CONSTRUCTION.

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- CANAL
- 2% SLOPE
(SEE NOTE 2)
- 35' MIN.
DRIVE APPROACH
- HEADWALL
- DEPRESSED MEDIAN
"OR" CUTOUT
- 35' (TYP.)
- AVENUE OR STREET
- 50' (TYP.)
- 65' (TYP.)
- 50' (TYP.)
- 5%
MAX
(TYP.)
- AVENUE/STREET
MEDIAN (TYP.)
- STREET
R/W (TYP.)
- INSIDE TOP OF
CANAL BANK
(TYP.)
- FID EASEMENT/
RIGHT-OF-WAY (TYP.)
- GATE LOCATION
(IF PERMITTED)
- DRIVE BANK
- DRIVE BANK
- CANAL
- FID R/W.
REFER TO
FID DETAIL 1-01



DRIVE APPROACH – URBAN AREAS

SCALE: NOT TO SCALE

STANDARD DETAIL

DATE: JANUARY 2018

1-02

SHEET 1 OF 1



July 2, 2018

Alondra Williams
City of Fresno
2600 Fresno St
Fresno, CA 93271

Ref: Gas and Electric Transmission and Distribution

Dear Ms. Williams,

Thank you for submitting PZ18-2000004 plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management



Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <http://usanorth811.org/wp-content/uploads/2017/05/CA-LAW-English.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)



Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes,



service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. **Buildings and Other Structures:** No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. **Grading:** Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. **Fences:** Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. **Landscaping:** Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. **Reservoirs, Sumps, Drainage Basins, and Ponds:** Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. **Automobile Parking:** Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. **Storage of Flammable, Explosive or Corrosive Materials:** There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.
8. **Streets and Roads:** Access to facilities to be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for



proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.



June 25, 2018

Will Tackett
DARM – Development Services Division
2600 Fresno Street
Fresno, CA 93721

SUBJECT: APN 310-041-15,16,17,18 & 19
6191 East Clinton Avenue
Tentative Map No. 6214

Dear Mr. Tackett:

The purpose of this letter is to provide school district information relative to the above-referenced subdivision and to comply with Business and Professions Code section 11010, subdivision (b)(11)(A) regarding the provision of school-related information to the subdivider/owner and the State Department of Real Estate.

1. Elementary School Information:

- (a) The subject land is presently within the attendance area of the elementary school (grades K-6) listed below:

School Name: *Temperance Kutner Elementary*
Address: *1448 N Armstrong Ave Fresno CA 93727-2803*
Telephone: *(559) 327-8100*
Capacity: *768*
Enrollment: *718 (CBEDS enrollment 2017-18 school year)*

- (b) Because of projected growth in the District and the District's plans for construction of new school facilities, it is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend an elementary school other than the school listed above, and (2) students residing in the project area may attend more than one elementary school within the District during their elementary school years.

Governing Board

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Don Ulrich, Ed.D.
Deputy Superintendent
Norm Anderson
Associate Superintendent
Barry S. Jager, Jr.
Associate Superintendent
Michael Johnston
Associate Superintendent

2. Intermediate School Information:

School Name: *Reyburn Intermediate*
Address: *2901 Dewolf Ave Clovis CA 93619-5226*
Telephone: *(559) 327-4500*
Capacity: *1600*
Enrollment: *1429 (CBEDS enrollment 2017-18 school year)*

3. High School Information:

School Name: *Clovis East High School*
Address: *2940 Leonard Ave Clovis CA 93619-8446*
Telephone: *(559) 327-4000*
Capacity: *3100*
Enrollment: *2492 (CBEDS enrollment 2017-18 school year)*

4. Bus transportation is currently provided for grades K-6 students residing further than one mile from school and for grades 7-12 students residing further than two and one-half miles from school. Transportation will be available for students attending the above-identified elementary, intermediate and high schools in accordance with District standards in effect at the time of enrollment.
5. The District currently levies a school facilities fee of \$4.63 per square foot (as of July 1, 2017) for residential development. The fee is adjusted periodically in accordance with law. New development on the subject property will be subject to the fee in place at the time fee certificates are obtained.

The District hereby requests that the information in this letter be provided by the owner/subdivider to all prospective purchasers of property within the project.

Thank you for the opportunity to comment on the project. Please contact me if you have any questions regarding this letter.

Sincerely,



Michael Johnston
Associate Superintendent
Administrative Services



DATE: July 30, 2018

TO: Will Tackett, Supervising Planner
Development and Resource Management Department

FROM: Ann Lillie, Senior Engineering Technician
Public Works Department, Traffic Operations and Planning Division

SUBJECT: PUBLIC WORKS CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP NO. 6214 REGARDING MAINTENANCE REQUIREMENTS

LOCATION: east side of N Fowler between E Clinton & McKinley Avenues

APN: 310-041-16, portion of -17, 18, & 19

The Public Works Department, Traffic and Engineering Services Division, has completed its review and the following requirements are to be placed on this tentative map as a condition of approval. These requirements are based on City of Fresno code, policy, standards and the public improvements depicted on the exhibits submitted for this development.

ATTENTION: The item below requires a separate process with additional costs and timelines. In order to avoid delays with the final map approval, the following item shall be submitted for processing to the Public Works Department, Traffic and Engineering Services Division prior to final map approval.			
X	CFD Annexation Request Package	Ann Lillie	(559) 621-8690 ann.lillie@fresno.gov

The Community Facilities District annexation process takes from three to four months and SHALL be completed prior to final map approval. INCOMPLETE Community Facilities District (“CFD”) Annexation Request submittals may cause delays to the annexation process and final map approval.

All applicable construction plans for this development shall be submitted to the appropriate City Department for review and approval **prior** to the CFD process.

- Landscape and Irrigation Plans are required to be approved prior to the finalization of the CFD process and the approval of the final map.
- Proposed park amenities shall be reviewed and approved by the Building & Safety Services Division or as approved in writing by the City Engineer at time of submittal for the CFD process and prior to final map approval.**

Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed and shall require a revision of this letter.

Any change affecting the items in these conditions shall require a revision of this letter.

1. The Property Owner’s Maintenance Requirements

The long term maintenance and operating costs, including repair and replacement, of certain required public improvements (“Services”) associated with all new Single-Family developments are the ultimate responsibility of the Developer. The Developer shall provide these Services either by a mechanism approved by the Public Works Department or by annexing to the City of Fresno’s Community Facilities District No. 11 (“CFD No. 11”).

The following public improvements (Existing and Proposed) are eligible for Services by CFD No. 11 as associated with this development:

- All landscaped areas, trees and irrigation systems, as approved by the Public Works Department, within the street rights-of-way and landscape easements; including without limitation, the median island (1/2, if fronting only one side of median), parkways, buffers, street entry medians and sides **(10' wide minimum landscaped areas allowed)** in **all Local and Major Streets**.
- All landscaping, trees, irrigation systems, hardscaping and amenities within Outlots, open spaces and trails.
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures, median island concrete maintenance band and cap (1/2, if fronting only one side of median), and street lights in **all Major Streets**.
- Concrete curb and gutters, valley gutters, sidewalks, curb ramps, traffic calming structures, and street entry and interior median island curbing and hardscape, street paving, street name signage and street lights in **all Local Streets**.

2. The Property Owner may choose to do one or both of the following:

- a. The Property Owner may petition the City of Fresno to request annexation to CFD No. 11 by completing and submitting an Annexation Request Package to the Public Works Department, Traffic and Engineering Services Division for review and approval. The Annexation Request Form is available, along with current costs, on-line at the City's website at <http://www.fresno.gov>, under the Public Works Department, Developer Doorway.
 - **Proceedings to annex the final map to CFD No. 11 SHALL NOT commence** unless the final map is within the City limits and all construction plans (this includes Street, Street Light, Signal, Landscape and Irrigation plans, and any other plans needed to complete the process) and the final map are considered technically correct.
 - The annexation process will be put on **HOLD** and the developer notified if all of the requirements for processing are not in compliance. **Technically Correct shall mean that the facilities and quantities to be maintained by CFD No. 11 are not subject to change and after acceptance for processing.**
 - Public improvements not listed above will require written approval by the Public Works Department Director or his designee.
 - All areas not within the dedicated street rights-of-way approved for Services by CFD No. 11, including but not limited to outlots, trails and landscaped areas, shall be dedicated in fee to the City of Fresno, dedicated as a public easement for maintenance purposes or as approved by the Public Works Department City Engineer.
- b. The Property Owner may provide for Services privately for the above maintenance requirements. All City maintenance requirements not included for annexation to CFD No. 11 for Services **SHALL** be included in the DCC&Rs or some other City approved mechanism for the required Services associated with this development. Contact the Planner in the Development and Resource Management Department for more details.

For questions regarding these conditions please contact me at (559) 621-8690 or ann.lillie@fresno.gov